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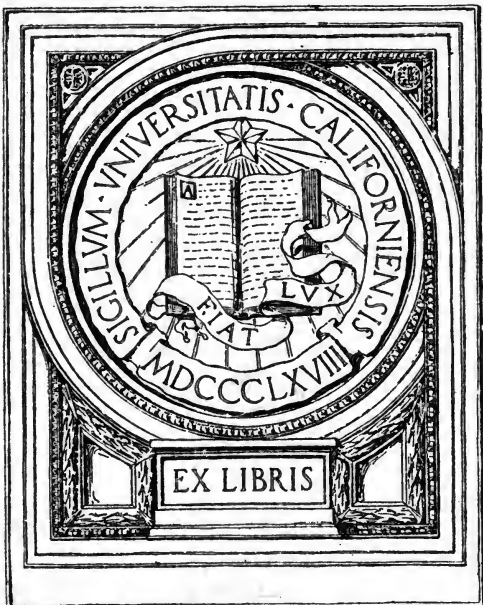


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SCHOOL LAWS  
OF  
OKLAHOMA  
1915

GIFT OF

*Okl. Dept. of Educ.*



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PRESENTED BY  
THE STATE DEPARTMENT OF EDUCATION  
R. H. WILSON,  
STATE SUPERINTENDENT

# SCHOOL LAWS OF OKLAHOMA

1915

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*This Book Is the Property of School District No.-----  
of-----County, and Must Be Delivered  
by the Clerk to His Successor in Office.*

UNIV. OF  
CALIFORNIA

WARDEN COMPANY, OKLAHOMA CITY



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1915

*Gift of Okla. Dept. of Educ.*

## Letter of Endorsement and Instructions

### To School Superintendents, Officers and Teachers:

This volume contains, in correct form, the laws of the State of Oklahoma relating to the public schools. Articles 1 to 17, inclusive, contain the school code enacted by the Fourth Legislature, same being Articles 1 to 17 of Chapter 219, Session Laws 1913, as amended by the Fifth Legislature. The other articles herein are copied from the Revised Laws of Oklahoma 1910, and Acts of the Fifth Legislature. The sections are numbered consecutively. The numbers in parenthesis at the end of the section refer to the section numbers in the Session Laws or the statutes.

It is our purpose to have a sufficient number of these laws printed to furnish a copy to the clerk of each school district as well as a copy to each teacher. The board members are cautioned to preserve their copy of the laws and turn same over to their successors with all other records of the district.

We insist that each one familiarize himself with the provisions of the school laws as contained herein and not rely upon former impressions of what the law is. The Topical Index refers you to the particular sections relating to the duties of the different officers. This index should be referred to frequently and all the provisions of the law carefully observed. In cases where the meaning of the law is not clear to you the matter should be referred to your county superintendent, who will consult with the county attorney. If your county superintendent and the county attorney cannot agree upon the construction or meaning of the law, they should submit the question to this department, stating clearly the issue involved. Upon receipt of the request, made by the county superintendent or the county attorney, we will submit the matter to the attorney general for his opinion, which will be furnished immediately. In no case should teachers or school officers write to this department on propositions of law without first consulting the county superintendent and the county attorney. Letters asking for a construction of the school law must be written to this department and not to the attorney general. See section 5 of this pamphlet.

Respectfully submitted,

R. H. WILSON,

State Superintendent of Public Instruction.

Oklahoma City, May 15, 1915.

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## ARTICLE I.

### State Superintendent.

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**Section 1. Supervisory Powers:** The educational interests of the state shall be under the supervision and management of the state superintendent of public instruction, subject to such limitations and restrictions as are, or may be, prescribed by law; and he shall have and exercise the powers and perform the duties pertaining to such office. (1.)

**Section 2. Official Bond:** Before entering upon the duties of his office, the state superintendent of public instruction shall execute a bond to the state, with good and sufficient sureties, to be approved by the governor, in the penal sum of five thousand dollars. (2.)

**Section 3. Office and Repository:** Such superintendent shall have an office at the seat of government, where he shall keep all books and papers pertaining to the duties of his office, and all apparatus, maps and charts belonging to the office of the state superintendent, and such as may hereafter be received for such office by purchase, exchange, or otherwise, shall be kept and preserved in such office and delivered by the superintendent to his successor. He shall file and carefully preserve in his office the official reports made to him by the county superintendents of public instruction for the several counties, trustees, or other directors of academies, graded schools or colleges. (3.)

**Section 4. Shall Give Notice of State Apportionment:** Such state superintendent shall notify the county superintendents of public instruction of the semi-annual apportionment of the income of the state school fund and the annual taxes collected by the state from which proper reports have been received by said state superintendent. (4.)

**Section 5. Shall Give Written Opinions:** Such superintendent shall, at the request of any county or city superintendent of public instruction, give his opinion upon a written statement of facts on all questions and controversies arising out of the interpretation and construction of the school laws in regard to the rights, powers and duties of district and city boards, school officers and county superintendents of public instruction, and shall keep a record of all such opinions. Before giving any opinion which involves the construction of the school law, the state superintendent shall submit the statement of facts to the attorney general forthwith, for his opinion thereon. (5.)

**Section 6. Compile and Publish School Laws:** Such superintendent, not more than once in two years, shall publish the school laws in force, with such forms, regulations, instructions and decisions as he may judge expedient thereto annexed, and shall cause the same to be forwarded to the persons entitled to receive them. He shall prescribe and cause to be prepared all forms and blanks necessary in the details of the public school system, so as to secure its uniform operation throughout the state, and shall cause the same to be forwarded to the several county and city superintendents of public instruction, to be by them distributed to the several persons or officers entitled to receive the same. (6.)

**Section 7. Biennial Report:** The state superintendent shall, on the first day of December preceding each regular session of the legislature, make out and deliver to the governor a report containing: First, a statement of the number of public schools in the state, the number of pupils attending the same, and their sex; a statement of the number of private schools in the state, so far as can be ascertained, the number of pupils attending the same, and their sex; a statement of the normal schools in the state, and the number of

students attending them; the number of academies and colleges in the state, the number of students and their sex attending them; and such other matters of interest as he may deem expedient, drawn from the reports of the county superintendents of public instruction in the several counties of the state, and from other reports received on the subject of education from the trustees or other school boards within the state. Second, a statement of the condition of the public school funds of the state, including moneys, school lands, or other property held in trust by the state for the support of public schools and giving a full statement of the school lands accounts of each county. Third, a statement of the receipts and expenditures of the department for the past two years. Fourth, a statement of plans for the management and improvement of public schools, and such other information relating to the educational interests of the state as he may deem expedient. (7.)

**Section 8. Moral and Illegal Offenses to Be Reported:** Upon the written complaint of any person stating that any instructor or person employed in any state or county educational institution is guilty of any offense involving moral turpitude or that said person has been guilty of obtaining money or anything else of value from any person and has not rectified same to the satisfaction of the injured person, the state superintendent of public instruction shall take cognizance of same and take such steps as will be necessary to protect the patrons of said school and the citizens where said institution is located. (8.)

**Section 9. Certificates:** The state superintendent of public instruction may issue teachers' certificates, valid for two years, to all students who graduate from district agricultural schools or from fully accredited high schools, when such schools have satisfied the said state superintendent that the course of study completed by the students desiring such certificates is equivalent to a four years' high school fully accredited with the State University, and that the said schools have sufficient equipment for teaching agriculture, domestic science and manual training, and that the students have completed such a course in psychology and the science of teaching as the said state superintendent may prescribe. Certificates so issued shall license the holder to teach in any of the common schools in Oklahoma for a period of two years. (S. B. 364, chap. 114, L. 1915.)

**Section 10. Same:** Any graduate of any college organized under the laws of the State of Oklahoma, and operated in the State of Oklahoma, requiring a four years' college course for graduation, and which has entrance requirements equivalent to a four years' high school course, and maintaining a course in education equivalent to the course of education in the University of Oklahoma, said course to be approved by the state board of education, shall, upon application to the state superintendent of public instruction, and making proof of graduation from any such college and the completion of said course of study, be granted a life high school certificate of the same rank as is granted to the graduates of the State University for the same class of work. (Sec 1, H. B. 556, Ch. 66, L. 1915.)

**Section 11. Credits:** When any such college as referred to in Sec. 1, of this act, has established its course of study and the same has been approved by the state board of education, any credit made in such college, which would entitle the holder thereof to graduation in that subject, may be substituted within three years from the time the credit is granted, in lieu of an examination on that subject on any teachers' certificate. (Sec 2, H. B. 556, Ch. 66, L. 1915.)



## ARTICLE II.

### County Superintendent.

**Section 12. Qualifications, Term and Manner of Election:** There is hereby created the office of county superintendent of public instruction for each county in Oklahoma, which office shall be filled as hereinafter provided by election and appointment, and when elected shall be elected at the same time as county officers, and in the same manner as other county officers, and his term of office shall be for a period of two years, or until his successor is elected and qualified. His term shall begin July 1st, after his election: Provided, that no person shall be eligible to such office of county superintendent unless he shall be the holder of a county first grade certificate. (1.)

**Section 13. Vacancy:** When a vacancy occurs in the office of county superintendent of public instruction by death, resignation or otherwise, notice thereof shall be given by the county clerk to the board of county commissioners, who shall, as soon as practicable, appoint some suitable qualified person to fill the vacancy; and the person receiving appointment shall, before entering upon the discharge of the duties of his office, file his oath or affirmation and bond in the county clerk's office, as herein provided, and shall hold his office until his successor is elected and qualified. (2.)

**Section 14. Bond:** The county superintendent of public instruction shall, before he enters upon the duties of his office, take and subscribe to the constitutional oath of office and execute to the state of Oklahoma a bond in the sum of one thousand dollars, conditioned to the faithful performance of his duty; which bond, after having been approved by the board of county commissioners, together with his official oath, shall be filed in the office of the county clerk. (3.)

**Section 15. General Duties:** It shall be the duty of the county superintendent of public instruction to visit each school in his county at least once in each term of six months, correcting any deficiency that may exist in the government of the school, the classification of the pupils, or the method of instruction in the several branches taught, to make such suggestions in private to the teachers as he shall deem proper and necessary to the welfare of the school; to note the character and condition of the school house, furniture, apparatus and grounds, and make a report in writing to the district school board, making such suggestions as in his opinion shall improve the same; to examine the accounts and record books of the district officers, and see that they are kept as required by law; to encourage the formation of associations of teachers and educators for mutual improvement, and, as far as possible, to attend the meetings of such associations and participate in the exercises of the same; to attend the normal or teachers' training course held in his county, using his influence to secure the attendance of teachers; to make daily personal inspection of the work of the institute in session, and to keep a record of the same in his office and do such work in connection with the exercises of the institute as he may deem necessary; to hold a public meeting in each school district of his county at least once every year for the purpose of discussing school questions and elevating the standard of education; to keep his office open at the county seat Saturday of each week, and in counties in which he or she has a clerk or assistant, said office shall be kept open all days of the week. He shall keep a complete record of his official acts; a record of the name, age and postoffice address of each candidate for a teacher's certificate, with the number of weeks said candidate has attended a normal school or institute, the number of weeks he has taught, his standing in each study and the date of issue and expiration of each certificate granted, and a record of all teacher's certificates issued in the county or endorsed by him as provided by law. He shall keep a register of the teachers employed in his county, giving name of teacher, number of district in which he is employed, dates of opening and closing of term, salary per month, grade of certificate and date of superintendent's visit. He shall keep a record of the apportionment of the state and county school funds, and such other statistical records as shall be required in making reports to the state

superintendent of public instruction. He shall keep in a well bound book an exact copy of each annual report he makes to the state superintendent. (4.)

**Section 16. Apportion School Funds:** Within five days after receiving the certificate of the state superintendent of public instruction informing him of the amount of state school fund which has been apportioned to his county, such county superintendent shall apportion the same, together with the unapportioned county school fund in the county treasury, among the school districts and parts of districts in such county in the ratio of the number of persons of school age who are entitled to receive the same, residing in each district, or part of district, as shown by the last annual report of the several clerks of such district and parts of districts; provided, that no district in which a common school has not been taught for at least three months within the last two preceding school years, shall be entitled to receive any portion of said funds, and he shall draw his order on the county treasurer in favor of each of the several school districts for the amount apportioned to such district. (Sec. 1, H. B. 290, chap. 250, L. 1915.)

**Section 17. Report to County Clerks and Assessors:** It shall be the duty of the county superintendent of public instruction, on or before the first day of January of each year, to furnish the clerk and assessor of the county a description of the boundary of each and every school district, and part of district, in each county. (6.)

**Section 18. Annual Report:** He shall, on or before the first day of September of each year, make out and transmit in writing to the state superintendent of public instruction a report bearing date of September 1st, containing a statement of the number of school districts, or parts of districts, in the county, the number of children resident in each over the age of six and under the age of twenty-one years, and their sex; a statement of the number of district schools in the county, the length of time school has been taught in each, the number of scholars attending the same, and their sex; the number of teachers employed in the same and their sex; a statement of the number of private or select schools in the county, so far as the same can be ascertained, and the number of teachers employed in same, their sex, and the branches taught; a statement of the number of graded schools in the county, the length of time school has been taught in each, and the number of scholars attending the same, with the number of teachers employed in the same, and their sex; a statement of the condition of the normal school where such school has been established, the number of students attending the same, their sex and the number of teachers employed in the same and their sex; a statement of the county normal institute or teachers' training course; a statement of the number of colleges and academies in the county, and the number of students attending the same, their sex, the number of teachers employed in each and their sex; a statement of the amount of public money received in each district, or part of district, and what portion of the same, if any, has been apportioned to the support of graded schools; a statement of the amount of money raised in each district by tax and paid for teachers' wages; the amount of money raised by tax, or otherwise, for the purpose of purchasing school site, for building, hiring, purchasing, repairing, furnishing or insuring the school house or for any other purpose allowed by law in the district, or parts of districts; and such other reports as the state superintendent may require from time to time. (7.)

**Section 19. Vacancy in District Board:** Should a vacancy occur in the board of directors of any school district, it shall be the duty of the county superintendent to appoint some suitable qualified person, resident of the district, to fill the same. The person so appointed shall continue in office for the unexpired term. (8.)

**Section 20. Audit Reports:** He shall see that the annual reports of the clerks and teachers of the several school districts, and parts of districts, in his county are made correctly and in due time, and shall have power to administer oaths in all cases in which an oath is made necessary by any provision of the school law, except in the qualifying of county superintendents and their sureties. (9.)

**Section 21. Purchase Supplies:** The county superintendent of public instruction of the respective counties in this state may purchase each year, for each organized school district in his county, not having sufficient records, one set of school district records, consisting of district clerk's records and other books and a teachers' daily register and records; each of said books shall contain such printed forms and instructions as will enable the teacher and the school district officers to perform with correctness and accuracy their several duties as required by law: Provided, that no purchase shall be made except upon written requisition of the school district clerk, and each set of records shall not exceed in cost four dollars; and the said superintendent shall draw his order or warrant on the county treasurer in favor of the person he purchased said books of, for the amount of the purchase money, and it is hereby made the duty of said treasurer to pay the warrant or order out of any money in his hands belonging to the respective districts in his county: Provided, further, that no funds in the hands of the county treasurer belonging to the several school districts of his county, shall be diverted from the object from which said fund was raised, and said superintendent shall deliver said books to the clerk of the school board of said district and take his receipt therefor as his voucher. (10.)

**Section 22. Formation of Districts:** It shall be the duty of the county superintendent of public instruction to divide the county into a convenient number of school districts and to change such districts when the interests of the people may require it, by making them conform to existing topographical or physical conditions; but only after twenty days' notice thereof, by written notice posted in at least five public places in the district, or districts, so affected; but no district shall be formed from other organized district containing less than nine square miles of area and an assessed valuation of less than fifty thousand dollars, and fewer than eight persons between the ages of six and twenty years; and no district having a bonded indebtedness shall be so changed that such indebtedness shall exceed five per cent of the assessed valuation of such district. No school district shall be reduced to an area of less than nine square miles. No district shall be changed under the provisions of this section, except upon a petition to the county superintendent of public instruction, signed by at least one-third of the qualified electors of the district petitioning for the change: Provided, that one-fourth of the qualified electors of any district affected by such change may join in an appeal to the board of county commissioners from the action of such county superintendent, and their decision shall be final: Provided, further, that notice of such appeal shall be served on such county superintendent within ten days after the time of posting the formation or alteration of such district. Such notice shall be in writing, and shall state fully the objections to the action of such county superintendent, a copy of which shall be filed with the county clerk and also with the clerks of all the districts affected by such alteration, and such appeal shall be heard and decided by a majority of the board of county commissioners at their next regular meeting, and if such appeal is not sustained by them, such county superintendent shall proceed to appoint the time and place for said first district meeting, which shall then proceed as required by law. Such superintendent shall number school districts when they are formed, and he shall keep in a book for that purpose a description of the boundaries of each school district, and part of district, in his county, with a plat of same, date of organization, date and full record of all changes of boundaries and a list of district officers in his county, the date of election or appointment, and the time the term of each is to expire. (11.)

**Section 23. Not to Affect Separate Districts:** The provisions of this article shall not be construed as limiting the operation of law providing for the formation of separate districts for white and colored children, but the formation of any district under such law shall be construed to be the formation of a new district with like effect as though such new district was formed in territory unorganized for school purposes. (12.)

**Section 24. Notice of Formation:** When a school district shall be formed in any county, the county superintendent of public instruction of such county shall, within fifteen days thereafter, prepare a notice of the formation of such district, describing its boundaries and stating the number thereof. He shall cause the notices thus prepared to be posted in at least five public places in

the district, and in case there shall be no appeal, shall in ten days thereafter in like manner, appoint a time and place for special district meeting for the election of officers and the transaction of such business as is prescribed by law for regular school district meetings. (13.)

**Section 25. Employment of Clerk:** The county superintendent of public instruction in counties having a population of more than fifteen thousand, and not more than twenty-five thousand, may, with the consent of the county commissioners, expend for clerk hire not to exceed the sum of two hundred dollars per annum, and in counties of more than twenty-five thousand and not more than forty thousand the county superintendent may, with the consent of the county commissioners, expend for clerk hire not to exceed four hundred dollars per annum, and in counties having a population of more than forty thousand the county superintendent may, with the consent of the county commissioners, expend for clerk hire not to exceed six hundred dollars per annum: Provided, that in counties having a population of more than fifteen thousand and not more than twenty-five thousand and in which there is conducted not less than twenty separate or minority schools, the county superintendent may, with the consent of the county commissioners, expend for clerk hire not to exceed four hundred dollars. (14, as amended by S. B. 164, Chap. 237, Session Laws 1913.)

**Section 26. Employment of Clerk in Certain Counties:** Each county superintendent of public instruction of this state in counties having a population of more than twenty-five thousand, exclusive of cities of the first class, and in which there is organized not less than one hundred and thirty-five school districts, and in which there is conducted not less than thirty separate or minority schools, may, with the consent of the county commissioners, expend for clerk hire not to exceed eight hundred dollars per annum. (Sec 1, S. B. 211, chap. 17, L. 1915.)

**Section 27. Same:** Each county superintendent of public instruction of this state in counties having a population, as shown by the present or any federal census hereafter taken, of not less than 29,100 and not more than 29,300, may, with the consent of the county commissioners, expend for clerk hire not to exceed six hundred (\$600.00) dollars per annum. (Sec 1, H. B. 462, Chap. 194, L. 1915.)

**Section 28. Traveling Expenses:** Each county superintendent of public instruction of this state shall be allowed all actual and necessary traveling expenses while away from home inspecting the schools of the county: Provided, no expenses shall accrue for the inspection of a school more than twice annually. No such expense account shall be paid except on an itemized sworn statement. (15.)

**Section 29. Forfeiture of Office:** Every county superintendent of public instruction who shall neglect or refuse to perform any act which it is his duty to perform, or shall corruptly or oppressively perform such duties, shall forfeit his office and be liable on his official bond for all damages occasioned thereby, to be recovered in the name of the state for the benefit of the proper party, district or county. (16.)

**Section 30. Apportion Debts:** It shall be the duty of such county superintendent in each county in the state to audit any outstanding indebtedness that may have been contracted by any district prior to the time such district was changed, and apportion the same to the districts now comprising the territory of such districts, taking as a basis of apportionment the assessed valuation of property included in the boundaries of said divided district and he shall apportion to each of the districts which have acquired the territory of said divided district such portion of said indebtedness as the assessed valuation of the property of that portion of the territory thus acquired bears to the entire assessed valuation of such divided district. (17.)

**Section 31. Dispose of Property:** The county superintendent of public instruction shall have power to dispose of any property which may belong to any such divided districts by agreement with the district board retaining the property of such divided district: Provided, that the funds arising from the sale of such property shall be applied by such county superintendent to the payment of the indebtedness of said divided district or districts. (18.)

**Section 32. Compensation:** The county superintendent of public instruction shall receive an annual salary to be paid monthly out of the county treasury by order of the county commissioners as follows: In counties having a population of not over eighteen thousand, twelve hundred dollars; in counties having a population over eighteen thousand and not over thirty thousand fourteen hundred dollars; in counties having a population of over thirty thousand and not over forty thousand, sixteen hundred dollars; in counties having a population of over forty thousand, eighteen hundred dollars. (19.)

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## ARTICLE III.

### Common School Districts.

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**Section 33. Subjects Taught:** In each and every school district there shall be taught agriculture, orthography, reading, penmanship, English grammar, physiology and hygiene, geography, U. S. history and civics, arithmetic and such other branches as may be determined by the state board of education: Provided, that the instruction given in the several branches taught shall be in the English language. (1.)

NOTE—See section 153.

**Section 34. School Month:** A school month shall consist of four weeks of five days each of six hours per day. (2.)

**Section 35. District Organized:** Every school district shall be deemed duly organized when the officers constituting the district board shall have been elected and qualified and shall have signified their acceptance to the county superintendent of public instruction in writing, which written notice such superintendent shall file in his office. (3.)

**Section 36. District a Corporation:** Every school district organized in pursuance of this article shall be a body corporate, and shall possess the usual powers of a corporation for public purposes by the name and style of "School District----(such a number as may be designated by the county superintendent of public instruction)-----county (the name of the county in which the district is situated) state of Oklahoma," and in that name may sue and be sued, and be capable of contracting and being contracted with and holding such real and personal estate as it may come into possession of by will or otherwise, or as is authorized. (4.)

**Section 37. Division of Property Among Divided Districts:** When a new district is formed, in whole or in part, from one or more districts possessing a school house or entitled to other property, the county superintendent of public instruction, at the time of forming such new district, shall equitably determine the proportion of the present value of such school houses or other property justly due to said new district. Such proportion, when ascertained, shall be levied upon the property of the district retaining the school house, or other property, and shall be collected in the same manner as if the same had been authorized by a vote of the district for building a school house, and when collected, shall be paid to the new district to be applied towards procuring a school house for such district. (5.)

**Section 38. Annual Meeting:** An annual school meeting of each school district shall be held on the second Tuesday of July of each year, and at such places or polling places as the board may designate, beginning at two o'clock

P. M. and closing at four o'clock P. M. of said date. Notice of the time and place of the annual meeting shall be given by the clerk by posting written or printed notices in five public places in the district ten days prior to said meeting. Special meetings may be called by a majority of the district board or by a majority of the legal voters of the district; but notice of said special meeting stating the purpose for which it is called, together with the time and place, shall be posted at least ten days before the meeting in five public places. Following the annual school meeting and on the same date thereof, it shall be the duty of the School District Board to meet and make out the report required by law to be filed with the excise board showing the fiscal condition of the school district at the close of the previous fiscal year and the statement of the estimated needs thereof for the current or ensuing fiscal year. (Sec. 1, S. B. 373, chap, 278, L. 1915.)

NOTE—Excess levy to be voted on at annual meeting. (See Secs. 343 and 344.)

**Section 39. Qualified Voters:** All persons, including females, residing in the district and possessing the qualifications of electors, as defined by the constitution and the laws of the state, shall be entitled to vote at any district meeting. (7.)

NOTE—Grandfather clause applicable to a school election even when the colored school is the majority school. (5-9-14.)

**Section 40. Challenged Voters:** If any person offering to vote at a school district meeting shall be challenged as unqualified by any legal voter, the chairman presiding shall declare to the persons challenged the qualifications of a voter, and if such challenge be not withdrawn, the chairman, who is hereby authorized, shall tender to the person offering to vote the following oath or affirmation: "You do solemnly swear (or affirm) that you are an actual resident of this school district and that you are qualified by law to vote at this meeting." Any person taking such oath or affirmation shall be entitled to vote on all questions voted upon at such meeting. (8.)

**Section 41. Duties of Annual Meeting:** The inhabitants qualified to vote at a school meeting lawfully assembled, shall have power: First, to appoint a chairman to preside over said meeting in the absence of the director. Second, to adjourn from time to time. Third, to choose a director, clerk or member who shall possess the qualifications prescribed by law. Fourth, to designate by vote a site for the district school house: Provided, that the designation of a site for a district school house shall not be over one-half mile from the center of said district. Fifth, to authorize and direct the sale of any school site or other property belonging to the district (when the same shall be no longer needful to the district). Sixth, to give such directions and make such provisions as may be deemed necessary in the prosecution or defense of any suit or proceedings in which the district may be a party. (9.)

NOTE—County superintendents are not authorized to decide a contest of election between candidates. (5-9-14.)

**Section 42. Two or More School Houses in Same District:** The board of education of any independent district or the board of directors of any school district in this state may construct and maintain two or more school houses in any school district in this state: Provided, a majority of the legal voters of said district shall authorize the same at an election to be held in said district as other elections are held for school purposes. (10.)

**Section 43. Locations Legalized:** The location or construction of any school house already located or constructed by the board of education or board of directors of any school district in this state are hereby legalized. (11.)

**Section 44. Length of School Term:** The qualified voters, at each annual meeting, or any special meeting duly called, may determine the length of time the school shall be taught in their district for the then ensuing year, which shall not be less than three months, and when such school shall be taught, and whether the school money to which the district may be entitled shall be applied in support of the summer or winter term of school, or a certain portion of each;

but if such matter shall not be determined at their annual or any special meeting, it shall be the duty of the district board to determine the same. (12.)

**Section 45. Changing School Site:** In school districts having school houses the value of which is not less than five hundred dollars, the school house site shall not be changed, except by a vote of at least three-fifths of the legal voters of such district voting in favor of such change. (13.)

**Section 46. May Purchase State Land:** Upon application of any regularly organized school district board to the commissioners of the land office, when it is made to appear that it is necessary to locate a site for a public school house on any of the public school land or state lands, the commissioners of the land office are hereby authorized and directed to have, or cause to have, such public building site surveyed, said site to embrace not more than four acres of land, and said commissioners shall cause said site so located and surveyed to be appraised as provided by law, and when said school district board shall have filed with said commissioners of the land office a relinquishment of the preference right and interest held therein by the lessee of said site so located and surveyed, or when said school district board shall have condemned the preference right and interest held therein by the lessee of said site, express authority being herein granted to such school district board to so condemn such lessee's interest in any such land for the purposes herein mentioned under the condemnation procedure now applicable to railroads, and shall have filed with said commissioners of the land office the final judgment of the court, thereupon said commissioners of the land office shall, upon the payment to the state the appraised value of said site and tract, so located and surveyed, make, execute, and deliver to said school district board a patent to said tract, as provided by law. (14.)

**Section 47. Relocation of School Site:** Upon the petition of one-third of the voters of any school district in Oklahoma, and in any district containing a town or village, qualified to vote at a school district election, the district board of said district shall call a meeting of the voters of said district at the school house therein in the manner provided by law for calling special meetings for the purpose of determining the relocation of the school house in said district. If at such meeting the voters of the district, by vote of two-thirds of the resident voters of the district voting, determine to relocate the school house in said district within the school district, the board of said district shall locate said school house at some point in said district in or adjoining such town or village. (15.)

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## ARTICLE IV.

### Joint Districts.

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**Section 48. Formation of Joint Districts:** When it shall become necessary to form a school district lying partly in two or more counties, the county superintendents of public instruction in the counties in which the said tract of country shall be located, when application shall be made in writing to any one of them by five householder residents therein, shall, if by them deemed necessary, meet and proceed to lay off and form the same into a school district, issue notices of the first district meeting and shall file the proper papers in their respective offices; and such district so organized shall be designated: "Joint District No.-----, counties of-----," and the boundaries of such district shall not be altered except by the joint action of such superintendents of the several counties represented in said district. (1.)

NOTE—Joint districts must have area of at least nine square miles and assessed valuation of at least fifty thousand dollars. (9-10-14.)

**Section 49. Appeal:** If, in the alteration of, or refusal to alter, the boundaries of any joint school district, any person or persons shall feel aggrieved, such person or persons may appeal to the state superintendent of public instruction, and notice of such appeal shall be served on the superintendents of public instruction of the several counties represented in said district within ten days after the rendition by them of the decision appealed from, which notice shall be in writing and shall state fully the objections to the actions of such superintendents, and a copy thereof shall be filed with the state superintendent of public instruction. It shall be the duty of such county superintendent in whose possession are the papers connected with the action appealed from, to transmit the same to the state superintendent of public instruction immediately upon being served with notice of appeal, as hereinbefore provided. Thereupon, the state superintendent of public instruction shall fix the time for the hearing of said appeal, and notify such several county superintendents interested, and they shall take action in accordance therewith. Each joint district, except in matters relating to the alteration of the boundaries thereof, shall be under the jurisdiction and control of the superintendent of public instruction of that county represented in such district having the largest amount of territory embraced within the boundaries of such joint district. (2.)

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## ARTICLE V.

### Duties of District Officers and Teachers

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**Section 50. Officers and Term:** The officers of each school district shall be a director, clerk and member, who shall constitute the district board and who shall be elected and hold their respective offices as follows: At the annual election in 1914 there shall be elected in all school districts a director who shall hold his office for three years; in 1915, a member who shall hold his office for three years, and in 1916 a clerk who shall hold his office for three years, and thereafter at each annual meeting there shall be elected one member of said board in the place of the outgoing member, who shall hold his office for three years, and until his successor shall be elected and qualified. No person shall be eligible to serve on the district board unless he can read and write the English language, and shall be a legally qualified voter of said district. (1.)

**Section 51. Oath of Office:** School district officers, before entering upon their official duties, shall take the following oath to faithfully perform said duties, and the chairman of any regular or special meeting is hereby authorized and empowered to administer such oath: "I, -----, hereby declare under oath that I will faithfully perform the duties of-----of school district-----county of-----, to the best of my ability and that I will faithfully discharge all the duties pertaining to said office and obey the constitution and laws of the United States and of Oklahoma." (2.)

**Section 52. Forfeiture of Office:** Every person duly elected to the office of director, clerk or member of any school board who shall refuse or neglect without sufficient cause to qualify within twenty days after his election or appointment, or who having entered upon the duties of his office shall neglect or refuse to perform any duty required by the provisions of this article, shall thereby forfeit his right to the office to which he was elected or appointed, and the county superintendent of public instruction shall thereupon appoint a suitable person in his stead. (3.)

**Section 53. Duties of Director:** The director of each district shall preside at all district meetings and shall sign all orders drawn by the clerk, authorized by a district meeting or by the district board, upon the custodian of the district



funds for moneys collected or received by him to be disbursed therein. He shall appear for and in behalf of the district, in all suits brought by or against the district, unless other directions shall be given by the voters of such district at a district meeting. (4.)

**Section 54. Duties of Clerk:** The clerk of such district shall record the proceedings of his district board or board of education in a book provided by the district for that purpose, and enter thereon copies of all reports made by him to the county superintendent; he shall keep and preserve all records, books and papers belonging to his office and deliver the same to his successor in office; and shall post all notices for annual or special meetings, one of which shall be posted on the school house door. (5.)

**Section 55. Deputy Clerk:** The said clerk shall be the clerk of the district board of all district meetings, when present; but if such clerk shall not be present at any district meeting, the voters present may appoint a clerk of said meeting, who shall certify the proceedings thereof, and the same shall be recorded by the clerk of the district. (6.)

**Section 56. Issuance of Warrants:** The clerk of the district shall draw and countersign all warrants or orders on the custodian of the district funds for moneys in the hands of such treasurer, which have been apportioned to, or raised by, the district to be applied to the payment of teachers' wages, and apply such money to the payment of wages of such teachers as shall have been employed by the district board, and said clerk shall draw orders on the treasurer for the moneys in the hands of such treasurer to be disbursed for any purpose ordered by a district meeting or by the district board, agreeable to the provisions of this section. (7.)

**Section 57. Preliminary Meeting and Annual Reports:** Each school district board shall hold a meeting at least five days previous to the annual meeting in each year, for the purpose of preparing the report of the clerk, which shall be read and submitted to the legal voters of the district at the annual meeting for their information and consideration; if any changes or alterations therein be necessary, the same shall be made and shall then be transmitted to the county superintendent of public instruction. Said report shall show: First, the number of children, white and colored, designated separately, attending the school during the year, and their sex. Second, the length of time school has been taught in the district by a qualified teacher or teachers, the name of the teacher or teachers, and wages paid. Third, the amount of money raised by the district in such year and the purpose for which it was raised. Fourth, an itemized statement of all orders or warrants drawn on the custodian of the district funds for the past fiscal year, and the purpose for which drawn. Fifth, such other facts and statistics in regard to the district school as the state superintendent may require. (8.)

**Section 58. Penalty for False Report:** Every clerk of the district who shall willfully sign a false report to the county superintendent of public instruction of his county, or fail or refuse to make a legal report, shall be deemed guilty of a misdemeanor, and, upon conviction, punished by a fine of not less than ten dollars, nor more than twenty-five dollars. (9.)

**Section 59. Report to County Clerk and Assessor:** It shall be the duty of the several district clerks of this state to make out a certified list of all persons residing within their respective districts liable to pay taxes and transmit the same to the county clerk and assessor of their respective counties on or before the first day of January of each year. (10.)

**Section 60. Election Report:** The district clerk shall immediately after the annual meeting report to the county superintendent of public instruction in writing the name and postoffice address of the district officer elected at the annual meeting. (11.)

**Section 61. Records Subject to Inspection:** The books, records, papers and other archives of the school district board shall be open at all times to the inspection and examination of the county superintendent of public instruction and to all resident taxpayers within said district. (12.)

**Section 62. Shall Surrender Records:** Every school district officer, director, clerk or member who shall neglect or refuse to deliver to his successor in office all records, books or papers belonging to his office shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than one hundred dollars and not more than five hundred dollars, or be imprisoned in the county jail for six months. (13.)

**Section 63. Purchase or Lease Building Site:** The district board shall purchase or lease a site for a school house as shall have been designated by the voters of the district meeting, in the corporate name thereof, and shall build, hire or purchase such school house as the voters of the district, in a district meeting, shall have agreed upon, out of the funds provided for that purpose, and make sale of any school house site or other property of the district, and, if necessary, execute a conveyance of the same in the name of their office, when lawfully directed by the voters of such district, at any regular or special meeting, and shall carry into effect all lawful orders of the district. (14.)

**Section 64. District Board Custodian of Property:** The district board shall have the care and keeping of the school house and other property belonging to the district. They shall have power to make such rules and regulations as they may deem proper and may appoint some suitable person to take charge of the school apparatus, maps, charts, etc., belonging to the district. (15.)

**NOTE**—School boards have authority to make and enforce rules and regulations for protection of school property. (1-30-14.)

**Section 65. May Admit Non-residents:** The district board shall have power to admit scholars from adjoining districts: Provided, that said pupils shall pay a tuition fee, which fee shall be prescribed by the district board, subject, however, to provisions of article 16 of this act. (16.)

**Section 66. Teachers' Contracts—Provisions:** The district board of each district shall contract with and hire qualified teachers for, and in the name of the district, which contract shall be in writing. The contract shall specify the wages per week or month, as agreed upon by the parties, and one copy shall be filed with the district clerk, one copy filed with such county superintendent, and one copy retained by the teacher, and the board, in conjunction with such superintendent, may dismiss such teacher or teachers for incompetency, cruelty, negligence, or immorality. Whenever any person shall make and enter into a valid contract with such district board to teach school in such district, such contract shall be binding upon such teacher until he has been legally discharged therefrom according to law, or released therefrom by such district board in regular session; and until such person shall have been thus discharged or released, he shall not have the authority to make or enter into any valid contract with any other district board or board of education in the state of Oklahoma to perform services as teacher or instructor for a period of time covered by an existing valid contract which said person has made. No district board or board of education shall have authority to pay any money or issue any warrant for the payment of money to any person for services as teacher or instructor, except for services performed under and by virtue of a valid written contract approved by such county superintendent existing between such district board and such teacher to be paid: Provided, it shall be unlawful for any school district board to employ a person to teach who is related to a member of the board. School district boards shall have authority to enter into contracts after March 1st each year, and prior to the annual meeting, with persons to teach their school for the ensuing year. No contract so entered into prior to the annual meeting shall be binding unless the teacher is at the time of making the contract the holder of a valid certificate in the county where the services are to be rendered for the time the contract is made. The contract so entered into before the annual meeting shall be binding upon the district only for an amount that comes within the estimate when made and approved, and the district, nor any member of the school district board shall be liable for any amount of difference between the amount of the contract and the amount of the estimate as made and approved; and in the event of a school house being destroyed by accident, fire or otherwise, and no other suitable building can be secured therefor, all contracts for the payment of teachers who were under contract to teach in said school house shall be void, and all contracts entered into between a teacher and

board of directors of any district shall contain the provisions of this section. (17.)

NOTE—In dismissing teacher the county superintendent and the school board members sit as one board and each member has one vote. (4-12-15.) Teachers may draw pay for time school is closed on account of contagious disease. (12-14-14.)

**Section 67. Shall Provide School Supplies:** The district board shall provide the necessary supplies for the school during the time school is taught therein, and shall keep an accurate account of all expenses thus incurred and present the same for allowance at any regular meeting of the board, and no warrant or order shall be drawn unless authorized at such regular meeting. The board shall hold monthly meetings during the school term, which shall be at the end of each school month. (18.)

**Section. 68. School Property Exempt From Taxation and Forced Sale:** All property held by the school district of any school district in this state for the use of the public schools, shall be exempt from taxation, and shall not be taken in any manner for any debt due from the district. (19.)

**Section 69. Suspension of Pupils:** The teacher may suspend from the privileges of a school any pupil guilty of immorality or persistent violations of the regulations of the school, which suspension shall not extend beyond the current quarter of the school: Provided, that the pupil suspended shall have the right to appeal from the decision of said teacher to the board of directors, which shall, upon a full investigation of the charges preferred against said pupil, determine as to the guilt or innocence of the offense charged, and their decision shall be final. (20.)

**Section 70. Shall Furnish Registers and Report Cards:** The district board shall furnish each teacher with suitable daily register and report cards, which forms shall be approved by the state superintendent, and shall visit together, or by one or two of their number, all the schools of their district at least twice each term, and at such school periods during the term as, in their opinion, the exigencies of each school may require; at which visit they shall examine the register of the teacher and see that it is properly kept, and inquire into other matters touching the school house, facilities for ventilation, furniture, apparatus, library, studies, discipline, modes of teaching and improvement of the schools, and confer with the teacher with regard to the condition and management, and make such suggestions as would, in their view, promote the interests and efficiency of the school and the progress and good of the pupils. The date and result of such visits shall be entered by the clerk of the board on their minutes. (21.)

**Section 71. Penalty for Law Violation:** Any member of the school district board, or custodian of the district funds, who shall violate any of the provisions of this article, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail not less than six months, or by both such fine and imprisonment; and any teacher who shall violate any of the provisions of this article shall be liable to immediate dismissal, and it shall be the duty of the county superintendent of public instruction to prosecute and carry out the provisions of this section. (22.)

**Section 72. Disposition of Fines:** All fines collected for any violation of this article shall be paid to the treasurer of the county where the suit is brought for the support of the common schools. (23.)

**Section 73. Payment of Judgments:** Whenever any final judgment shall be obtained against any school district, the district board shall provide, for a tax on all taxable property in the district for the payment thereof; such taxes shall be collected as other school district taxes, but no execution shall issue on such judgment against the school district. (24.)

**Section 74. Removal of School House:** Whenever a school house or other improvements have been made upon the claim of any settler, upon any of the public or Indian lands or other property within this state to which said settler had no title, it shall be lawful for the school directors of the proper

school district to remove said school house or other improvements from the said claim or private property at any time within one year from the time that the settler in any given case may acquire the title to his said claim: Provided, that if the said settler in any given case shall convey to the said board of directors one acre of land or more upon which said school house or other improvements are situated, the same shall not be removed. (25.)

**Section 75. Public Meetings in School House:** The district board shall have the care and keeping of the school house and other property belonging to the district. They are hereby authorized to open the school house for the use of religious, political, literary, scientific, mechanical or agricultural societies belonging to their districts for holding public meetings of such societies under such regulations as the board may adopt. Any person, society or organization using the school house as herein provided shall be responsible for all damages resulting from such use, and it shall be the duty of the school board to assess such person, society or organization the amount of the damages, if any result from such usage, and if not paid within five days, they shall immediately file complaint with the justice of the peace and upon conviction the offending party or parties shall be fined in any sum not less than five dollars nor more than twenty five dollars, said fine, when collected, to be turned into the county treasury and credited to the school district fund of the district to which the said school house belonged. If school is in session at the time the house is used for other than school purposes, the building shall be swept and cleaned after its use and before eight o'clock the morning following, and if not so cleaned and swept, further use of said building shall be prohibited. (26.)

**Section 76. May Purchase Buildings:** The school district board of any school district, or board of education of any independent district in the state, if the electors entitled to vote in school elections in such districts shall by a majority vote so authorize, shall have power to contract for, acquire, or construct, necessary school buildings and additions thereto, to be paid for by an annual rental and to levy an annual tax of not more than three mills for the payment of such rental: Provided, however, that the total levy upon an ad valorem basis for all purposes within any district shall not exceed the amount authorized by section 9, article 10 of the constitution. (27.)

**Section 77. Meetings Called—How:** Any regular or special meeting of the voters of any school district in the state of Oklahoma shall be called in the following manner: Notice shall be given by posting five written or printed notices in the district ten days prior to such meeting, or by publication in the newspaper, if a newspaper is published in said district, in at least ten issues of a daily newspaper, if a daily is published in said district, and if no daily paper is published in said district, notice shall be given by publication in at least two issues of a weekly newspaper, if published in said district; such publication shall not be less than ten days prior to said election. (28.)

**Section 78. Approval of Purchase Contract:** Any contract made under the provisions of section 76 shall be approved by a majority of the voters of the district present at a regular school election, or at a special election held for that purpose, notice of which shall be given by posting five written or printed notices in the district ten days prior to such meeting, or by publication in a newspaper, if a newspaper is published in said district, in at least ten issues of a daily newspaper if a daily is published in said district, and if no daily newspaper is published in said district, notice shall be given by publication in at least two issues of a weekly newspaper, if published in said district. Such publication shall not be less than ten days prior to said election. (29.)

**Section 79. Increased Levy for Building:** When any contract is entered into by the trustees of any school district in this state, as provided in this article, where the total amount to be paid thereunder can not be paid within ten years by the three mill levy upon an ad valorem basis, upon all the taxable property within said district, an additional levy of an amount sufficient for such purposes may be authorized by a majority vote of persons qualified to vote at such district elections or meetings at a special election called for that purpose by the trustees of such district: Provided, however, that the total amount of such increased levy shall not exceed five mills on the dollar of the assessed

value of the taxable property in such school district. Notice of such special election shall be given as the notices in the preceding section. (30.)

**Section 80. Contracts With Board Members Prohibited:** No district board of any school district in this state shall make any contract with any of its members or in which any of its members shall be directly or indirectly interested; and all contracts made in violation of this section shall be wholly void. (31.)

**Section 81. Penalty for Illegal Contracts:** Every officer of any school district who shall hereafter order or direct the payment of any money or transfer of any property belonging to school district in settlement of any claim known to such officers to be fraudulent or void, or in pursuance of any unauthorized, unlawful or fraudulent contract or agreement made or attempted to be made, for any school district, by any officer or officers thereof, and every person having notice of the facts with whom such unauthorized, unlawful or fraudulent contract shall have been made, or to whom or for whose benefit such money shall hereafter be paid, or such transfer of property shall be made, shall be jointly and severally liable in damages to all innocent persons in any manner injured thereby, and shall be furthermore jointly and severally liable to the school district affected for double the amount of all such sums of money so paid, and double the value of property so transferred, as a penalty to be recovered at the suit of the proper officers of such school district, or of any resident taxpayer thereof, as hereinafter provided. (32.)

**Section 82. Resident Taxpayer May Maintain Suit:** That upon the refusal, failure or neglect of the proper officers of any school district, after written demand made upon them by ten resident taxpayers of such school district, to institute or diligently prosecute the proper proceedings at law or in equity for the recovery of any money or property belonging to such school district, paid out or transferred by any officer thereof, in pursuance of any unauthorized, unlawful, fraudulent or void contract, made or attempted to be made by any of its officers for any such school district, or for the penalty provided in the section preceding, any resident taxpayer of such school district affected by such payment or transfer after serving the notice aforesaid, and after giving security for costs, may, in the name of the state of Oklahoma as plaintiff, institute and maintain any proper action at law or in equity which the proper officer of the school district might institute and maintain for the recovery of such property, or for said penalty and any such school district shall, in such event, be made defendant and one-half the amount of money and one-half of the value of the property recovered in any action maintained at the expense of a resident taxpayer under this section shall be paid to such resident taxpayer as a reward. (33.)

**Section 83. County Treasurer Custodian of Funds:** The county treasurer of each county is hereby constituted the custodian of the school district funds of the several districts of his county, except independent districts. (34.)

**Section 84. Shall Keep Separate Accounts:** The county treasurer shall keep a correct account of all moneys received for the benefit of and belonging to each of the several districts of his county, the source from which received and the disbursements of the same, as is hereinafter provided, and the object for which paid out. (35.)

**Section 85. Method of Payment:** All public funds of any district shall be disbursed only in the payment of legal warrants or orders, bonds and interest coupons. (36.)

**Section 86. Warrants Issued—Procedure:** School district funds shall be disbursed by the county treasurer only upon warrants issued by the school district board and for paying interest coupons and bonds legally issued by the school districts. No warrant shall be issued except on verified claims made under oath, which claims shall be approved by the district board. No claim shall be approved by the district board unless the same shall be made out in separate items and the nature of each item stated. For the purpose of verifying claims school district clerks are hereby given authority to administer oaths. (37.)

**Section 87. County Treasurer Shall Make Report to District Board:** It shall be the duty of the county treasurer, on or before the first Tuesday in July of each year, to furnish to the several school district boards of his county, a certified report in writing, showing the sources and amounts of all moneys received and disbursed by him for each school district during the previous fiscal year ending June 30th, together with the amount of all available assets on hand at the close of such fiscal year, for each district. Said statement shall be recorded at length by the clerk of the district in the minute record of the board. Sec. 2, S. B. 373, chap. 278, L. 1915.)

**Section 88. May Purchase District Warrants:** Whenever any school district shall have outstanding warrants, for which there is no money in the hands of the county treasurer, the said county treasurer shall have, and is hereby given, authority, to buy and cancel such outstanding warrants of such district with such funds on hand to the credit of other funds of the district in any amount not to exceed fifty per cent of the total tax levy of said district for that fiscal year. Provided, said warrants shall not be purchased for more than par and accrued interest. (39.)

**Section 89. District Treasurer's Final Report:** Immediately after this act becomes a law, the various school district treasurers shall make a report to the county superintendent of public instruction similar in all respects to the reports heretofore provided to be made at the annual meeting. Such county superintendent shall audit the report and notify the district treasurer of the amount of money that is due the school district. The treasurer, upon receipt of such notice from such county superintendent, shall at once turn over to the county treasurer the amount of money in his hands belonging to the district as shown by the report made to the county superintendent as approved by him. If the district treasurer fails or refuses to deliver the funds in his hands belonging to the district to the county treasurer within ten days after being notified by the county superintendent, it shall be the duty of the county attorney to proceed to take proper action against the bondsmen of the school district treasurer for the recovery of the money. Should any school district treasurer fail or refuse to make the report to such county superintendent within fifteen days, as provided above, he shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than ten dollars, and not more than fifty dollars. (40.)

**Section 90. Shall Teach Effects of Alcoholic Drinks and Narcotics:** The nature of alcoholic drinks and other narcotics and their effect on the human system in connection with the various divisions, physiology and hygiene, shall be included in the branches to be regularly taught in the common schools of the state, and in all educational institutions supported wholly or in part by money from the state: Provided, that this subject shall be taught as a part of physiology and hygiene, and that no additional textbook be employed. (Sec. 1, H. B. 160, chap 10, L. 1915)

**Section 91. Boards Shall Provide for Above:** Boards of education and boards of such educational institutions shall make suitable provisions for this instruction in the schools and institutions under their respective jurisdiction, giving definite time and place therefor in the regular course of study; adopt such methods as will adapt it to the capacity of pupils in the various grades; and to corresponding classes, as found in ungraded schools. The same test for promotion shall be required in this as in other branches (Sec 2, H B. 160, chap. 10, L. 1915.)

**Section 92. Subjects Above Taught in Institutes:** In all teachers' institutes, normal schools and teachers training classes established by the state, adequate time and attention shall be given to instruction in the best methods of teaching such branches. (Sec 3, H. B. 160, chap. 10, L. 1915)

## ARTICLE VI.

### Independent Districts.

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**Section 93. Independent Districts Defined:** Each city of the first class, and each incorporated town maintaining a four years' high school fully accredited with the state university, shall constitute an independent district and be governed by the provisions of this article. (1.)

**Section 94. Change of Boundaries:** Territory outside the limit of any city or town within an independent district may be added to or detached from such city or town for school purposes, upon petition to the county superintendent of public instruction by a majority of the qualified electors of the territory desiring to be attached to or detached from such city or town and if he deem it proper and to the best interests of the school of such city or town he shall issue an order attaching such territory to, or detaching such territory from such city or town for school purposes, and such territory shall, after being attached from the date of such order, be and compose a part of such city for school purposes only, and the taxable property of such adjacent territory shall be subject to taxation and shall bear its full proportion of all expenses incurred in the erection of school buildings and in maintaining the schools of such city; such attached territory shall be entitled to elect one member of the board of education, who shall be elected at the same time that other members of the board are elected, by the qualified electors of such district, at an election to be held at such places as the board of education may designate: Provided, however, that when a school district has been regularly laid out, formed and organized, includes therein an incorporated town which has become a regularly and legally organized city of the first class, the territory lying outside of the city limits which has been included in and was a part of the said school district at the time said town became a city of the first class and has been treated as a part of the city school district, shall continue to be a part of said school district, and shall be governed by the provisions of this article: Provided further, that in all cases where any town has heretofore been organized as, and declared to be, a city of the first class, the territory lying outside of the city limits and which has been included in and was a part of said school district at the time said town became a city of the first class and has been treated as a part of the city school district shall continue to be a part of said school district and shall be governed by the provisions of this article: Provided further, that in all cases where any town has heretofore been organized as and declared to be a city of the first class, the territory lying outside of the city limits and which was a part of the school district including said town, at the time of the change from a town to a city of the first class, and has since been treated as a part of the city school district under the management and control of the board of education of said city school district, including said adjoining territory, all elections held therein for the purpose of authorizing the issuance of bonds or for any other legal purpose and all levies of taxes made by said board of education against the taxable property therein are hereby legalized and declared to be legal and binding: Provided, that if any party or parties should object to the changing of the school district boundaries they shall have the right of appeal as provided for appealing from the decision of such county superintendent in changing the boundaries of other school districts: And provided further, that the boundary of any district shall not be changed in annexing territory to an independent district, or to a city or town, constituting an independent district, so that the assessed valuation of the original district shall be reduced more than five per cent of the assessed valuation. (2.)

**Section 95. A Body Corporate Powers:** The public schools of each city or town organized in pursuance of this article shall be a body corporate and shall possess the usual powers of corporations for public purposes, by the name and style of "The Board of Education of the city or town of-----, of the state of Oklahoma," and in that name may sue or be sued, and be capable of contracting or being contracted with, of holding and conveying

such personal and real estate as it may come into possession of, by will or otherwise, or as is authorized to be purchased by the provisions of this article. (3.)

**Section 96. May Convey Property:** Any city of the first class or town is hereby authorized and required, upon the request of the board of education of such city or town to convey to such board of education all property within the limits of any such city heretofore purchased by any such city for school purposes and now held and used for such purposes, the title to which is vested in any such city or town. (4.)

**Section 97. Conveyances—How Made:** All conveyances of the property mentioned in the preceding section shall be signed by the mayor and attested by the clerk of said city or town, and shall have the seal of the city affixed thereto and be acknowledged by the mayor of such city or town in the same manner as other conveyances of real estate. (5.)

**Section 98. Election of School Officers:** A separate ballot box for school purposes shall be provided by the city clerk and ballots for school officers deposited therein. It shall be the duty of the city clerk to prepare suitable places for holding such elections. At the biennial city election in 1915 there shall be elected a school treasurer by the city at large, who shall hold office two years and a board of education consisting of one member from each ward and one from outlying territory to be nominated from respective ward or outlying territory and elected from the district at large, two of whom shall hold office for a term of two years and the others for a term of four years, and until their successors are elected and qualified; thereafter at each biennial election members shall be elected to succeed the outgoing members to serve for a term of four years; provided, that no member of the board of education be a member of the council, nor shall any member of the council be a member of the board of education; provided further, that the officers and members of the boards of education in cities of the first class shall hold their offices for the full term to which they were elected; and provided further, that boards of education in independent districts, not cities of the first class, shall consist of three members to be selected by the district at large, at the same time and in the same manner as school district officers. Provided further, that nothing herein contained shall be construed to prevent a city of the first class which has heretofore, or may hereafter, adopt a charter form of government pursuant to section 3, of article 18, of the Constitution of this state from fixing the number of the members of the board of education of such city and outlying territory attached thereto for school purposes and regulating the time and manner of electing the members of such board of education, and the provisions of any charter already adopted and in force or of any ordinance adopted pursuant to such charter prescribing the number of members, or the time and manner of election of its board of education are hereby validated and legalized. Provided, that any of such ordinance which may hereafter be adopted, shall not become effective until it is submitted to a vote of the electors of such city and approved by a majority vote thereof, and provided further, that in cities of less than five thousand population, there shall be nominated a member of the Board of Education, one from each ward and one from outlying territory, to be nominated and elected by the qualified voters of the respective ward and outlying territory. But if there be no outlying territory in such district, a member shall be nominated and elected by the qualified voters of the city at large (Sec. 3, S. B. 373, chap. 278, L. 1915.)

**NOTE—**Persons need not register in order to vote in school election of cities of the first class. (1-27-15.) When member of board of education moves from the ward where he lived at time of election his position becomes vacant. (8-31-14.) In independent districts, not a city of the first class, the member of the board elected in 1915 is treasurer of the board. (2-20-15.) The bond of such treasurer is approved by the county superintendent. (4-15-15.)

**Section 99. Boards in Cities of More Than 50,000:** Cities having a population in excess of fifty thousand shall elect two members for each ward: Provided, the number of wards does not exceed five. At the biennial city election in 1915 there shall be elected one member from each such ward, who shall hold office for a term of two years, and one member from each such ward, who shall hold office for a term of four years; thereafter, at each biennial election



there shall be elected, to succeed each outgoing member a member who shall hold office for a period of four years. (6a.)

NOTE—Women are qualified to serve on board of education. (1-14-15.) County officers may not serve on boards of education. (2-19-15.)

**Section 100. Vacancies Filled by Board:** The board of education shall have power to fill any vacancy which may occur in that body to serve the unexpired term. (7.)

**Section 101. Powers of the Board:** The board of education shall have power to elect their own officers, except the treasurer; to make their own rules and regulations, subject to the provisions of this article; to organize and maintain a system of graded schools; to establish a high school whenever, in their opinion, the educational interest of the city demands the same, and to exercise the sole control over the schools and school property of the city. (8.)

NOTE—Boards of education are without authority to charge pupils tuition who are transferred to such district. (9-9-14.) Pupils who were enumerated and who draw public funds for the district cannot be charged tuition, and for school purposes a minor may have a different residence than that of his parents. (10-13-14.) Teachers' contracts date from the time they are signed by the board. (10-5-14.)

**Section 102. Election of Officers—Organization:** The board of education at its regular meeting in May in each year shall organize by the election of a president and vice-president from among its own members, each of whom shall serve for the term of one year, or until their successors are elected and qualified. They shall also elect a clerk: Provided, the clerk may be one of the board members, who shall hold his office during the pleasure of the board and who shall receive such compensation for his services as the board may allow. (9.)

**Section 103. Duties of President:** It shall be the duty of the president to preside at meetings of the board of education; to appoint all committees whose appointment is not otherwise provided for, and to sign all warrants ordered by the board of education to be drawn upon the treasurer for school money. (10.)

**Section 104. Duties of Vice-President:** It shall be the duty of the vice-president to perform all the duties of the president in case of his absence or disability. (11.)

**Section 105. Clerk's Duties—Bond:** It shall be the duty of the clerk to be present at all meetings of the board; to keep an accurate journal of its proceedings; to take charge of its books and documents; to countersign all warrants for school moneys drawn upon the treasurer by order of the board of education, and perform such other duties as the board of education, or its committees, may require; and, before entering upon the discharge of his duties the clerk of the board of education shall give a bond in the sum of not less than one thousand dollars, with good and sufficient sureties to be approved by the board, conditioned for the faithful performance of the duties of his office. (12.)

**Section 106. Treasurer's Duties—Bond—Summary Suspension:** The treasurer shall prepare and submit in writing a monthly report of the conditions of the finances of the district, and shall, when required, produce at any meeting of the board, or to any committee appointed for the purpose of examining his account, all books and papers pertaining to his office. Upon failure to make reports, as required by law, or to obey the orders of the board of education, the board may, at any meeting of the board, summarily suspend said treasurer from acting as treasurer until restored by order of the board, or of a judgment of a court of competent jurisdiction, and while so suspended, no act of his, as treasurer, shall be legal or binding upon the board. The board may immediately appoint some suitable person to act as treasurer during the suspension, upon the said appointee giving bond and taking oath of office as is required by law, of the regular treasurer; and upon demand the treasurer must immediately turn over to the acting treasurer all books and papers and other property pertaining to his office. He shall pay moneys only upon warrants signed by the president, or, in his absence, by the vice-president, and

countersigned by the clerk, and shall execute a bond in such sum as the board may require, with sufficient sureties to be approved by the board, conditioned for the faithful discharge of his duties as treasurer of said board. (13.)

**Section 107. Election of Superintendent and Teachers:** The regular election of superintendent and teachers shall be held after the first Monday in May of each year, and at said time the board may, by a majority vote, elect a superintendent and teachers for a period of one year, and said board may, at any of such meetings by a three-fourths vote, elect a superintendent for a period not to exceed three years, and all superintendents who have performed services as such superintendent in independent districts in this state, under contract signed by a majority of the board of education of such independent district, and such contract shall be valid. The board shall also appoint two competent persons, who, with the superintendent as chairman thereof, shall be styled "the examining committee of the board of education," whose duty it shall be to examine the credentials of all persons who apply to them as teachers. The examining board shall make a written report to the board of education, who may issue a certificate to the person applying, or may require any or all applicants to pass such an examination as will satisfy the board and the superintendent as to their competency and fitness to hold such position. (Sec. 1, H. B. 537, Chap. 71, L. 1915.)

**Section 108. Property Subject to Taxation:** The taxable property of the whole city or incorporated town, including the territory attached for school purposes, shall be subject to taxation. All taxes collected for the benefit of the school shall be placed in the hands of the treasurer, subject to the order of the board of education. (15.)

**Section 109. Time of Regular Meetings:** The regular meetings of the board of education shall be upon the first Monday of each month, but special meetings may be held from time to time as circumstances may demand. (16.)

**Section 110. Annual Report to County Superintendent:** The board of education, on or before June 30th, each year, shall make an annual report to the county superintendent of public instruction of the progress, prosperity and condition, financial as well as educational, of all the school matters under their charge, and said report shall be printed either in a newspaper or in pamphlet form. (17.)

**Section 111. To Make Purchases—Conditions and Penalty:** No expenditure involving an amount greater than two hundred dollars shall be made except in accordance with the provisions of a written contract, and no contract involving an expenditure of more than five hundred dollars for the purpose of erecting any public buildings or making any improvements shall be made except upon sealed proposals and to the lowest responsible bidder. Should the board of education violate this provision of this article, they shall be disqualified from further service on said board. (18.)

**Section 112. May Issue Bonds:** Whenever it shall become necessary for the board of education of any school district in which is included in whole or in part a city of the first class, to raise sufficient funds for the purchase of a school site or sites, or to erect or purchase and equip a suitable school building or buildings, or both, it shall be lawful for such board of education of such city to borrow money for which they are hereby authorized and empowered to issue bonds, bearing a rate of interest not exceeding five per cent. per annum, payable semi-annually at such place as may be shown on the face of such bonds; which bonds shall be payable in not more than twenty-five years from their date; and the board of education is hereby authorized and empowered to sell such bonds at not less than their par value: Provided, that before any bonds shall be issued, the mayor of the city, composing in whole or in part such school district, shall cause an election to be held in such district, as hereinafter provided. (19.)

**Section 113. Mayor to Call Election:** It shall be the duty of the mayor of each city governed by this article, upon the request of the board of education, forthwith to call an election to be conducted in all respects as are special elections for city officers in the same city, except that the returns

shall be made to the board of education for the purpose of taking the sense of such district upon the question of issuing such bonds, naming in the proclamation of such election the amount of bonds to be voted on and the purpose for which they are to be issued; and he shall cause to be published in a newspaper of general circulation published in the said district the time and place of such election, such notice to be given at least ten days before such election. (20.)

**Section 114. Qualified Electors:** On the question of issuance of said bonds no person shall be qualified to vote unless he be in all respects a qualified elector in such district. In case a majority of the voters thereof voting at such city election shall vote affirmative for the issuance of said bonds, then the said board shall issue the same and not otherwise. (21.)

**Section 115. Bond Provisions:** The said bonds shall contain all necessary provisions as to form; and such school district shall, before or at the time of the issuance of the same, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to institute a sinking fund for the payment of the principal thereof within the time for which the said bonds are to run: Provided, that no indebtedness shall ever be incurred to an amount, including this indebtedness, exceeding in the aggregate five per cent of the valuation of the taxable property of such district, to be ascertained from the last assessment for state and county purposes, previous to the incurring of such indebtedness. (22.)

**Section 116. Bonds—Other Provisions:** The bonds, the issuance of which is provided in the preceding section, shall be signed by the president, attested by the clerk and countersigned by the treasurer of the board of education, and shall have endorsed thereon a certificate signed by the county clerk or other officer authorized by law to sign such certificate and the county attorney of the county wherein such district is located, stating that said bonds, or evidence of debt, is issued pursuant to law and that said issue is within the debt limit: Provided, that each of said bonds shall be for a sum of not less than one hundred dollars. (23.)

**Section 117. Oath of Office:** Each member of the board of education and officer provided for in this article shall take and subscribe to the following oath: "I,-----, hereby declare under oath that I will faithfully perform the duties of-----of school district-----, county of-----, to the best of my ability, and that I will faithfully discharge all the duties pertaining to said office and obey the constitution and laws of the United States and of Oklahoma." (24.)

**Section 118. May Reimburse City for Buildings and Site:** The board of education of any city, or of any school district containing within its boundaries an incorporated town which has heretofore become indebted by issuing bonds for the purpose of building and furnishing school houses, or purchasing sites therefor, may issue bonds and borrow money thereon and reimburse from the proceeds thereof, said city or town. Said bonds shall be authorized in the manner and under the procedure, and of the condition and terms as is now authorized by law: Provided, that whenever any board of education or any school district shall have reimbursed any city or town as aforesaid, the proper officers thereof shall immediately convey by good and sufficient deed all the title and interest of said city or town in and to said school property, the effect of which shall be immediately to divest said city or town of any right in or to said property and to vest the same absolutely in said board of education or said school district. (25.)

**Section 119. Limit of Indebtedness:** It shall be lawful for the board of education of any city or any school district to become indebted for any purpose as now provided by law in a sum not in excess of five per centum of the assessed valuation of the taxable property within the boundaries thereof, as shown by the last preceding assessment taken for the purpose of taxation. (26.)

**Section 120. Qualified Voters:** That all elections hereafter held in cities of the first class in this state for the election of members of the board of

education, treasurer of the board of education, and all elective school officers, the following persons shall be qualified and entitled to vote at such election and for the class of officers above named, to-wit: All persons, male or female, over the age of twenty-one years who possess the other qualifications prescribed by the organic act and general election laws of the state of Oklahoma. (27.)

**Section 121. Separate Ballot:** At all such elections a separate ballot for the class of officers designated in the preceding section shall be provided and a separate ballot box provided for the reception of such ballots, but the votes shall be received at the regular polling place or places and be under the supervision of the same election board as the ballots cast for other elective officers at that election. (28.)

**Section 122. Investment of Sinking Fund:** All moneys raised for the purpose of creating a sinking fund for the final redemption of all bonds issued under this article shall be invested annually by the board of education in bonds of the state of Oklahoma, or of the United States, or the board may buy and cancel the bonds of the districts whenever such may be purchased at or below par. (29.)

**Section 123. Payment of Coupons:** Whenever the interest coupons of the bonds hereinbefore authorized shall become due, they shall be promptly paid on presentation by the treasurer, out of any money in his hands collected for that purpose, and he shall endorse upon the face of such coupon in red ink the word "Paid" and the date of payment and sign the initials of his name. (30.)

**Section 124. Property:** The school fund and property of such city and territory attached for school purposes is hereby pledged to the payment of the interest and principal of the bonds mentioned in this article, as the same may become due. (31.)

**Section 125. Registration of Bonds and Warrants:** It shall be the duty of the clerk of the board of education to register in a book provided for that purpose, the bonds issued under this article, and all warrants issued by the board, which said register shall show the number, date and amount of said bond, and to whom made payable. (32.)

**Section 126. To Prepare Estimate for Tax Levy—When:** Boards of education of cities of the first class, shall, on or before the second Tuesday of May, of each year, prepare a budget of the amount of money that will be required to be raised by taxation for the support and maintenance of the schools of school districts controlled by boards of education of cities of the first class for the ensuing fiscal year. Provided, however, that cities of the first class which elect at any election fewer than one-half of its membership, may on or before the second Tuesday of May, each year, prepare such a budget and call an election as prescribed in the following sections of this act. (Sec. 1, H. B. 414, chap. 192, L. 1915.)

**Section 127. Excess Levy and Election:** If the assessed valuation of said school districts controlled by boards of education in the cities of the first class for the current fiscal year is not sufficient by a levy of five mills to create the fund as determined in the budget as prepared by virtue of Section 1, of this act, the board of education shall determine the amount of excess levy above the five mills that will be required to raise the amount as determined by the assessed valuation for the current fiscal year. Within ten days after the amount of such excess levy has been determined, the board of education shall issue a call for and hold an election in May for the purpose of voting on said excess levy. Said election shall be called by the board of education in the manner provided by law for calling special elections in cities of the first class. (Sec. 2, H. B. 414, chap. 192, L. 1915)

**Section 128. Record to Be Attached to Estimate Sheet:** If a majority of those voting on said excess levy shall vote in favor thereof at the election held as provided by section 2 of this act, then it shall be the duty of the board of education to attach to the estimate sheet, when making the estimate required by law, a transcript showing the record of the board of education in

calling the election, and the returns received from said election. It shall then be the duty of the county excise board, if any excess levy be required to raise the amount of the estimate as approved by the board of education to make such excess levy in such an amount as will be required to produce the amount of the approved estimate not to exceed, however, the amount of such excess levy as has been voted as provided by section 127 of this article. (Sec. 3, H. B. 414, chap. 192, L. 1915.)

**Section 129. Not to Employ Teachers Until After Amount of Levy Determined:** For the purpose of preventing a deficiency in the revenues of boards of education in cities of the first class, no contract shall be made with teachers until after the election has been held as provided by section 2 of this act: Provided, that the provisions of this act shall not apply to cities of over fifty thousand population, as now hereafter shown by the last federal census, and shall in no way be construed as amending or repealing any of the provisions of law applying to such cities. (Sec. 4, H. B. 414, chap. 192, L. 1915)

**Section 130. Boards Shall Provide Playgrounds:** Boards of education in independent school districts and in cities of the first class, of ten thousand population or over, are hereby authorized to establish and maintain for children and adults public recreation places and playgrounds in the public school buildings, on the public school grounds, on other public property under the custody and management of such boards; on suitable and desirable private property, by and with the consent of the owners, and in public parks, public libraries, or public property of whatsoever sort, by and with the consent of the authorities having the custody and management of such public property. (Sec. 1, H. B. 206, chap. 35, L. 1915.)

**Section 132. Shall Make Estimate:** Said boards of education are hereby authorized to include in their annual estimate such sums as they may deem proper for the support of these recreation places and playgrounds within the constitutional and statutory limitations and restrictions as to taxation within such school districts, and the county excise boards are hereby authorized to make such levy for said purposes. (Sec. 2, H. B. 206, chap. 35; L. 1915.)

**Section 133. If Board Refuses, People May Initiate:** If any board of education shall neglect or refuse to proceed as authorized in this act, question of their action as herein authorized shall, upon petition to that effect, signed by not less than fifteen per cent of the number of voters voting at the last preceding school election in such district, be submitted to the electors of the school district at the next school election of any sort held therein, and if the majority of votes cast upon such proposition shall be in favor thereof, then the board of education shall include in their estimate for the next fiscal year funds for conducting such work and shall proceed to undertake and organize the work as authorized in this act. (Sec. 3, H. B. 206, chap. 35, L. 1915.)

**Section 134. Procedure if Funds Are Inadequate:** If any board of education is unable, on its regular funds, to establish and maintain such activities as authorized in section 130, above, they may submit, and upon petition to that effect signed by not less than fifteen per cent of the number of voters voting at last preceding school election, shall submit to the electors of such school districts at the next school election of any sort held therein, the question of levying a tax not to exceed one-half mill upon each dollar of the assessed valuation of all property, real and personal, in said district, subject to taxation, to be used for the purposes mentioned in this act. If a majority of the votes cast upon such a proposition at such election be in favor thereof, the tax shall be levied and collected at the same time and in the same manner as other taxes are levied and collected for school purposes. And said tax shall not be used or appropriated directly or indirectly for any other purpose than those provided in this act. (Sec 4, H. B. 206, chap 35, L. 1915.)

**Section 135. Tax Levy Perpetual:** After the question of the levy and collection of such special tax has been submitted and approved as provided in this act, the authority shall remain, and such tax shall be levied and collected annually until such time as the voters of the school district shall, by majority vote, order the discontinuance of the levy and collection of such tax. The question of the discontinuance of the levy and collection of such tax shall be

submitted to the voters in the same manner as the proposition to authorize the levy and collection of said tax. (Sec. 5, H. B. 206, chap 35, L 1915)

**Section 136. May Extend Other Funds:** The board of education in any district governed by this act is also empowered to receive and expend for the purpose of this act any sums of money appropriated and turned over to them by the city council or commissioners of any city containing, or contained in such school district for such purposes; and the city council or commissioners of such city having a population of ten thousand or over shall have authority to appropriate and turn over to the board of education of the school district containing, or contained in, such city, any reasonable sums of money which the said council or commissioners may desire to appropriate out of the general funds of such city, and turn over to the said board of education for the purposes herein set forth. (Sec. 6, H. B. 206, chap. 35, L. 1915.)

**Section 137. May Accept Gifts, etc.:** Said boards of education may accept gifts, donations and bequests of property, and money to be used for the purposes contemplated by this act, upon such terms and conditions, not in conflict with the constitution and laws of this state, as may be agreed upon by the said board of the one part and the donors of the other part. The title of the property so given, donated or bequeathed shall be vested in said boards of education. (Sec. 7, H. B. 206, chap. 35, L. 1915.)

**Section 138. Invalidity of Part Not to Affect the Whole:** The invalidity of any portion of this act (Secs. 130-138.) shall not affect the validity of any other portion thereof which can be given effect without such invalid parts. (Sec. 8, H. B. 206, chap. 35, L. 1915.)

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## ARTICLE VII.

### Consolidated Districts.

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**Section 139. Formation of District and Election of Officers:** A meeting of the voters of any two or more adjacent school districts, or parts of districts or territory, may be called for the purpose of voting on the proposition of uniting with the other adjacent districts, for the purpose of establishing a consolidated school, said call to be made by the county superintendent of public instruction, upon petition signed by one-half of the legal voters residing in each district of the territory proposed to be included in the consolidated district. The meeting shall be held at some convenient point to be named by such county superintendent. Notices of said special meeting shall be posted in at least five public places in each of the districts, or parts of districts, proposed to be consolidated, and also by publication, for at least two consecutive weeks in a weekly paper, if same be published in the school district, and in addition thereto, notices of said special meeting shall be mailed by such county superintendent to each voter residing in the districts proposed to be consolidated. The meeting shall have authority to elect a chairman and secretary. If a majority of the votes cast at said special meeting shall be in favor of such consolidation, they shall then proceed to elect a director, clerk and member of such consolidated district, and the clerk of said special meeting shall thereupon make a written report of such action to the county superintendent of public instruction of the county in which the said districts are located. No consolidated district shall be formed containing an area of less than twenty-five square miles and an assessed valuation of less than three hundred thousand dollars: Provided, that all or a part of any district adjacent to a consolidated district shall be attached to and become a part of such consolidated district upon petition to the county superintendent signed by a majority of the

legal voters of such territory desiring to be attached and by the board of directors of such consolidated district. (1.)

NOTE—Persons signing petitions to form consolidated district may withdraw name from petition before petition is passed upon by the county superintendent. (5-5-14.)

**Section 140. Districts Declared Disorganized:** The county superintendent of public instruction, shall upon receipt of the report, as provided in the preceding section, declare said districts disorganized, and the consolidated district organized, to form a consolidated district composed of the several districts voting to unite: Provided, that in the formation of consolidated districts comprising territory lying in more than one county, the county superintendents of public instruction of said counties shall act together in the same manner as provided by law in the formation and control of joint districts, and at said meeting of the voters of the newly organized school district, shall select a building site as near the center of population of such consolidated district as practicable. (2.)

**Section 141. Officers and Terms:** The officers of each consolidated district shall be a director, a clerk and a member, who shall constitute a district board and who shall be elected and hold their respective offices as follows: At the meeting provided for in the second preceding section, there shall be elected a director, clerk and member whose term of office shall expire at the same time as the term of like officers of other school districts: Provided, that where more than two districts unite, not more than one member of the board shall be elected from the territory of any one of the disorganized districts. (3.)

**Section 142. Powers and Duties of the Board:** The powers and duties of the district board herein provided and of the several officers shall be the same as those provided by law for school districts and their several officers and in addition it shall be the duty of said district board to provide transportation to and from school for all pupils residing two or more miles therefrom, in suitable vehicles of ample size, with comfortable seats, arranged to conform to the size of the pupils to be carried, with adjustable covers for the comfort and protection of the pupils, drawn by stout, gentle teams, driven by competent persons of good moral character, who shall have control of the pupils during their transportation. Provided, that any consolidated school district may, by a majority vote of the legal voters present and voting at any annual meeting, provide free transportation for all pupils under ten years of age, in said district whether living more than two miles or not, and such free transportation shall then be furnished to all pupils under ten years of age residing in the district until a change shall be ordered at an annual meeting of such district by a majority vote of all the legal voters present and voting at such meeting. Provided, further, that all independent school districts having the area, population and assessed valuation equal to that required of consolidated school districts, as provided by law, shall have the authority to provide transportation for pupils, as provided by law. (Sec. 1, H. B. 29, chap. 36, L. 1915.)

NOTE—Pupils transferred to a consolidated school district have the same privileges of transportation as pupils residing in such district. (10-14-14.)

**Section 143. Disposition of Indebtedness:** If any school district uniting to form a consolidated district shall have, at the time of its disorganization, a legally bonded indebtedness, such indebtedness shall attach to and become a charge against the territory comprised in such disorganized district at the time of the disorganization, and it shall be the duty of the county excise board of the county or counties in which such territory is located to cause annually to be levied upon the property, real and personal, in such disorganized territory, a tax sufficient to meet the interest and provide a sinking fund for the payment of such indebtedness: Provided, that the assets and property of any disorganized district having an indebtedness shall first be applied in payment of its floating indebtedness, if any, and then its bonded indebtedness, and the residue, if any, shall belong to the consolidated district. (5.)

**Section 144. Disposition of Property:** The school property of the disorganized district shall, upon the organization of the consolidated district, become the property of said district, except as hereinbefore provided, and the

district board of said district is hereby authorized to dispose of said property to the best interests of said district. (6.)

**Section 145. Annual Meeting:** The annual meeting of said consolidated district shall be held on the same date as fixed by law for holding the annual school meetings of each year at the school house belonging to the said district, at two o'clock p. m., and close at six o'clock p. m. They shall have such powers and duties as are by law provided for annual school district meetings. (7.)

**Section 146. School District Laws Applicable:** In all matters relating to consolidated school districts not provided for in the preceding sections, the law relating to school districts shall be in force where said laws are applicable. (8.)

**Section 147. To Be a Body Corporate:** A consolidated district, when formed, shall be known as "Consolidated school district No.-----, county of-----, state of Oklahoma," and shall be a body corporate with power to sue and be sued. (9.)

**Section 148. State Aid Fund:** All lands and funds that have heretofore been, or may hereafter be, derived from the sale thereof, embraced in section 33, according to the United States survey located in Greer county, as the county existed prior to November 16, 1907 together with all lands selected in lieu thereof, and the proceeds of all rentals, interest and sales accrued, or that may accrue therefrom, shall be set aside and credited to a fund which is hereby created, to be known as the "union graded or consolidated school district fund," the same to be used only to assist in constructing or paying for school buildings for consolidated school districts that have been, or may hereafter be, constructed under existing laws pertaining to union graded or consolidated school districts. (10.)

**Section 149. Land to Be Sold:** The commissioners of the land office are authorized and directed to sell and convey all lands described and set aside in section 10 of this article; same to be sold under the provisions, limitations, exceptions, rules and regulations of lands sold under amended senate bill No. 1, approved March 2, 1909, the same being article 2 of chapter 28 of the session laws of Oklahoma, 1909, or as may hereafter be provided by law. (11.)

**Section 150. Disbursement:** Such funds as have now accrued by virtue of rentals, and such as may hereafter accrue by virtue of rentals, and the proceeds of sale and interest thereon, prior to January 1, 1913, are hereby appropriated and placed at the disposal of the state board of education, subject to the conditions and limitations contained in this article. (12.)

**Section 151. To Make Rules and Regulations:** The state board of education, in apportioning said funds, shall make such rules and regulations as shall ultimately result in a fair and equitable distribution of said fund to the different counties in the state in proportion as nearly as may be possible to the scholastic population outside of cities of the first class. (13.)

**Section 152. Requirements to Be Met:** In any consolidated school district that has been formed for a term of not less than six scholastic months, and has employed at least three teachers, and has an actual attendance during said term of not fewer than one hundred and thirty scholastic pupils residing within the boundary of said district (the district having furnished free transportation to such as are contemplated by the law provided for consolidated school districts) and that has already constructed and furnished a suitable building of not fewer than three rooms, upon making proof of compliance with the foregoing provisions approved by the state superintendent of public instruction, shall have drawn by the state auditor upon the state treasury against said building fund in favor of the treasurer of said consolidated school district, a warrant for a sum not to exceed one-half the cost of said building; provided, that in no case shall any district receive a sum exceeding twenty-five hundred (\$2,500.00) dollars from the appropriation herein made; provided, that the state board of education may decrease this amount if in its judgment the amount is greater than the fair proportion belonging to one district. And, in any union graded district that has been formed for a term of not less than six scholastic months and has employed at least two teachers and



has an actual attendance during the said term of not fewer than forty scholastic pupils residing within the boundary of said district, and that has already constructed and furnished a suitable building of not less than two rooms, upon making proof of compliance with the foregoing provisions approved by the state superintendent of public instruction, shall have drawn by the state auditor upon the state treasury against said building fund in favor of the treasurer of said union graded district, a warrant for a sum not to exceed one-half the cost of said building; provided, that in no case shall any district receive a sum exceeding twelve hundred fifty (\$1,250.00) dollars, from the appropriation herein made; provided, that the state board of education may decrease this amount if in its judgment the amount is greater than the fair proportion belonging to one district; and provided further, that should such district consolidate after a union graded school has been formed, the amount received from the state fund shall be deducted from the proportionate amount allowed a consolidated district under this act. (Sec. 2, H. B. 134, chap. 187, L. 1915.)

**Section 153. Other Requirements:** Whenever a consolidated school district of not less than twenty-five (25) square miles in area shall have been established and conducted for a period of not less than six months under the terms of existing laws with reference to the consolidation of schools, and a building containing not fewer than three rooms, suitably constructed, equipped and furnished, shall have been built, and a graded school employing not less than three teachers shall have been conducted for a term of not less than six months, upon making proof of compliance with the foregoing provisions approved by the state superintendent of public instruction shall have drawn a warrant in favor of the district treasurer as provided in section 1 of this act. And, whenever a union graded school district of not less than twenty-five (25) square miles in area shall have been established and conducted for a period of not less than six months under the terms of existing laws with reference to union graded schools, and a building containing not less than two rooms, suitably constructed, equipped and furnished, shall have been built, and a graded school employing not less than two teachers shall have been conducted for a term of not less than six months, upon making proof of compliance with the foregoing provisions approved by the state superintendent of public instruction shall have drawn a warrant in favor of the district treasurer as provided in section 2 of this act. (Sec. 3, H. B. 134, chap. 187, L. 1915.)

**Section 154. State Aid—Supplementary Act:** All moneys hereafter received from the sale or rentals of section 33 and lands granted in lieu thereof, constituting and known as the "public building fund" in excess of the amounts required for the payment of all outstanding bonds and interest thereon, which have been issued and sold in accordance with chapter 89 of the session laws of Oklahoma 1911, prior to the passage and approval of this act, are hereby transferred and set aside and shall be credited to the "union graded or consolidated school fund," the same to be used only to assist in constructing or paying for school buildings for consolidated school districts that have been or may be constructed under existing laws pertaining to consolidated school districts, as provided in chapter 112, session laws of Oklahoma 1911 (Secs. 148-151 above): Provided, that all funds as provided for in this act shall be equitably prorated to the several counties of this state based on the scholastic population thereof outside cities of the first class. (Sec. 1, chap. 34, session laws 1913.)

**Section 155. County Superintendent May Call Election to Dissolve:** The county superintendent of public instruction may, upon petition of one-half of the legal voters of any consolidated school district, call an election at some convenient place in said consolidated school district for the purpose of voting on the question of whether such consolidated school district shall be dissolved. Notice of said election shall be given by having written or printed notices posted in at least five public places in such consolidated school district at least ten days prior to said election. (Sec. 1, H. B. 581, chap. 202, L. 1915.)

**Section 156. District Dissolved—When:** If sixty (60) per cent of the voters of such consolidated district at the election, held as provided by the first section of this act, shall vote to dissolve the consolidated school district, the clerk of said special election shall report such fact to the county superin-

tendent of public instruction. The said county superintendent shall then declare such consolidated school district dissolved, and that the original school districts which had united in forming said consolidated school district will thereupon be revived and it shall be the duty of the said county superintendent to appoint persons to fill all vacancies in the school boards for each of the school districts, who shall serve for the respective terms as other like officers in other school districts. (Sec. 2, H. B. 581, chap. 202, L. 1915.)

**Section 157. Payment of Indebtedness:** If any consolidated school district at the time of its dissolution shall have received state aid as provided in sections 14 and 15 of chapter 219, article 7, session laws of 1913 (Secs. 152-153 above) or shall have a legally bonded or warrant indebtedness, such indebtedness shall be distributed among the various school districts composing consolidated districts in proportion to the assessed valuation of each of the districts to the assessed valuation of the consolidated school district for the past fiscal year, and such indebtedness shall attach to and become a part of the different school districts and it shall be the duty of the county excise board of the county or counties in which such districts are located to cause to be levied annually upon the property, real and personal, of the different districts a tax sufficient to pay interest on such indebtedness or to reimburse the state in full for state aid received and to constitute a sinking fund for the payment of the indebtedness when due. The assets and property of the consolidated school districts when dissolved shall be first applied in payment of the indebtedness of the consolidated school districts, and if the consolidated school district has no indebtedness, then the assets and property shall be sold and partitioned among the different school districts on the same basis as provided herein for the distribution of the indebtedness. Provided, that the county excise board of said county shall assess a tax against any such district sufficient to reimburse the state within five years from the date of dissolution for all moneys contributed by the state the unpaid moneys to bear interest to the state at the rate of five per cent (5%) until paid. This levy for principal and sinking fund shall be made against the entire consolidated district collected by the county treasurer as a special fund and paid to the state treasurer in five equal annual installments, including all interest due each year. (Sec. 3, H. B. 581, chap. 202, L. 1915.)

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## *ARTICLE VIII.*

### **Union Graded Schools.**

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**Section 158. Method of Organizing:** A meeting of the voters of two or more adjacent school districts may be called for the purpose of voting on the proposition of forming a union graded school by the county superintendent of public instruction upon petition signed by one-half of the legal voters of the proposed union graded district as shown by the returns of the county assessor. Notices of said meeting shall be posted at least fifteen days prior to date for said special meeting in at least five public places in each of the school districts proposing to form the union graded district. The special meeting shall be held at some convenient place in one of the districts proposing to form the union graded district to be designated by the said county superintendent. Should a majority of the voters of each separate district at said special meeting vote in favor of forming a union graded district they shall at that meeting organize by electing a director, a clerk and a member, who shall constitute the board of the union graded district. The clerk of said meeting shall report to the said county superintendent the result of said special meeting and if the proposed union graded district was authorized by said special meeting the said county superintendent shall declare the proposed union graded district duly

formed. The union graded school as authorized by this article shall be for the purpose of establishing a school in which instruction may be given to all pupils above the sixth grade, to and including all grades of regular high school work. (Sec. 1, H. B. 134, chap. 187, L. 1915.)

**Section 159. Duties and Powers of Boards:** The board of directors provided in the preceding section shall, in all matters relating to the graded schools, possess all the powers and discharge all the like duties of the district board of directors, as prescribed by law. (2.)

**Section 160. To Provide Tax for Support:** Said union graded district may provide for taxes for the purpose of purchasing a building or furnishing proper buildings for the accommodation of the school, or for the purpose of defraying necessary expenses and paying teachers, but shall be governed in all respects by the law herein provided for levying and collecting district taxes and that said union graded district may provide for the purchase of site and erection of building as provided in article 10, chapter 74, revised laws 1910. (Sec. 4, H. B. 134, chap. 187, L. 1915.)

**Section 161. Repeal:** That section 3, article 8, chapter 219, of the session laws of 1913 (Sec. 135, 1913 school law) is hereby repealed. (Sec 5, H. B. 134, chap 187, L. 1915.)

**Section 162. Report to County Superintendent:** The clerk of the union district shall report in writing to the county superintendent of public instruction the number of scholars attending the graded school from his district, their sex and the branches studied, and the said county superintendent shall apportion the amount of school money due the union district from each of the districts forming the union district. (5.)

**Section 163. Provisions Apply to Other Districts:** Any single district shall possess power to establish a graded or high school subject to the provisions of this article, in like manner as two or more districts united. (6.)

**Section 164. Time of Annual Meeting:** The annual meeting of the union or graded school district shall be held on the last Saturday before the first Tuesday in June, beginning at two o'clock p. m., and closing at six o'clock p. m. (7.)

**Section 165. Location of Site:** No part of the statutes of Oklahoma shall be construed so as to prevent the location of the site for a school house in union graded school districts by a majority of the electors of said union graded school districts. (8.)

**Section 166. Illegal Contracts:** No expenditure involving an amount greater than two hundred dollars shall be made except in accordance with the provisions of a written contract, and no contract involving an expenditure of more than five hundred dollars for the purpose of erecting any public building or making any improvements, shall be made except upon sealed proposals and to the lowest responsible bidder. (9.)

NOTE.—Union graded school entitled to state aid. See Sec. 152.

# ARTICLE IX.

## School Census.

**Section 167. Form Prescribed:** For taking the enumeration of school children upon which the state and county apportionments of public school funds are made, the following form is prescribed:

### Scholastic Census Report

School District No. .... County of .....

For the year 191.....

Name of parent of guardian....., postoffice.....

Name of township or street....., section or street No.....

Name of tribe.....(if Indian or freedman, give name of tribe.)

Name of Child	Color	Sex	Date of Birth			Age	If Deaf, Dumb or Blind, Indicate
			Month	Day	Year		
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I hereby declare under oath that the above is a true and correct statement of the facts given; that I am a legal resident of the above school district and the names and ages of all persons of school age are correct as written above.

-----Parent or Guardian

Subscribed and sworn to before me this.....day of.....19.....

-----Enumerator. (1.)

**Section 168. Blanks to Be Furnished.** The above described blanks, sufficient for the needs of the county, shall be furnished to the county superintendents by the state superintendent. The blanks shall be in convenient form and accompanied with instructions for their use. The county superintendents shall furnish the clerks of the respective school districts of his county the blanks not later than the tenth day of January of each year and a letter of instructions. In making the report of the enumeration, the district clerk shall return to the county superintendent the original forms properly filled, certified and sworn to. (2.)

**Section 169. Persons Eligible to Be Counted:** Persons to be enumerated shall be those living within the school district on the date of January 15th, time of taking enumeration, with bona fide residence, and who are over the age of six and under twenty-one years of age: Provided, that persons who will be six years of age on or before the first day of September following will be counted and persons who will be twenty-one years of age on or before the first day of September following shall not be counted. (3.)

**Section 170. One or More Enumerators Authorized:** For the purpose of taking the enumeration, the district board shall appoint one of its members, or some other competent person, "enumerator", and in districts having an incorporated town or city of the first class, the school board or board of education shall have authority to appoint one or more "enumerators" who shall begin taking the scholastic enumeration immediately after January 15th of each year. (4.)

**Section 171. Shall Administer Oath:** For the purpose of protecting the enumeration, the "enumerator" shall have authority to administer the oath prescribed on the form above described to parents or guardians. (5.)

**Section 172. Penalty for Refusing Information:** Any person having children of school age in his care or control, who shall refuse to furnish the information desired to the "enumerator" or to sign the certificate as required, shall be deemed guilty of a misdemeanor, and fined in a sum not less than ten dollars nor more than twenty-five dollars, for the benefit of the county school fund. (6.)

**Section 173. Payment for Services:** For taking the scholastic census herein required, the "enumerator" shall be paid the sum of five cents per name in common school districts, and three cents per name in districts including an incorporated town or city: Provided, that if the report of the enumeration is not made to the county superintendent by the 5th day of February, no pay for such services shall be made. Warrants for this purpose shall be issued against the funds of the district as other warrants are issued. (7.)

**Section 174. Penalty for False Reports:** Any "enumerator" who shall wilfully make a report, containing the names of children not entitled to be counted, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars, nor more than one hundred dollars for each offense. (8.)

**Section 175. Time for Making Reports:** Immediately upon receipt of the enumeration report from the "enumerator" of the school district, the county superintendent shall check each name and date of birth and if any names have been given who are not entitled to be counted, he shall strike such names from the report and then approve the same and advise the district clerk the number of names so stricken from the report. When reports have been approved by the county superintendent, he shall transmit to the state superintendent a report showing the number of scholastics residing in each district school or part of district in his county, their sex and color. If the county superintendent, for any reason, fails to file the report, as required above, with the superintendent by the 15th day of March following the taking of the enumeration, the county shall not be permitted to share in the state apportionment for the following fiscal year, but the said county superintendent shall be liable on his official bond for the amount of loss so caused to the school districts. If a district board fails to make its report to the county superintendent by the 15th day of February, following the taking of the enumeration, the district shall not be permitted to share in the state and county apportionments for the following fiscal year. (9.)

**Section 176. Basis for State Apportionment:** Immediately upon receipt of the reports from the various county superintendents regarding the enumeration of scholastics, it shall be the duty of the state superintendent to file with the state treasurer and the secretary of the school land department, a report, duly certified, showing the number of scholastics in each county and the report so filed shall be the basis for making the apportionments of state school funds for July and January in the fiscal year following. (10.)

## ARTICLE X.

### Agricultural Education.

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**Section 177. Commission Created:** For the purpose of carrying out the requirements of the state constitution relating to the teaching of the elements of agriculture, horticulture and stock feeding, and domestic science in the common schools of the state, there is hereby created a state commission of agricultural and industrial education, consisting of the state superintendent of public instruction, who shall be chairman thereof, the president of the state board of agriculture, and the president of the Agricultural & Mechanical College, each of whom shall serve without additional pay. Said commission shall conform to the rulings of the state board of education, shall co-operate with all state normal schools, the Agricultural and Mechanical College and the state board of agriculture, and said boards and institutions are hereby required to co-operate with the state commission of agricultural and industrial education as far as practical (practicable), and without interfering with the more immediate duties of said boards and institutions. Said commission shall make a report in writing to the governor at least thirty days prior to the regular sessions of the legislature, including the work done under its supervision and a complete account of all funds and disbursements made in pursuance of this article, together with such recommendations as may by said commission be deemed advisable. (1.)

**Section 178. Subjects to Be Taught:** The elementary principles of agriculture, horticulture, animal husbandry, stock feeding, forestry, building county roads, and domestic science, including the elements of economics, shall be embraced in all the branches taught in all public schools of this state, receiving any part of their support from this state, and these branches shall be as thoroughly studied and taught by observation, practical exercises, and the use of text and reference books, and in the same manner, as are other like required branches in said public schools. (2.)

**Section 179. State Superintendent to Direct Instruction:** The state superintendent of public instruction shall investigate and determine the character, extent and cost of courses of instruction in the branches provided for herein, including manual training adapted to the different schools, and shall through bulletins and public addresses, give information to school boards and communities as to the courses and character of instruction which have proved most satisfactory and best adapted to various schools. He shall determine and give information as to where the most thoroughly trained and best equipped teachers of subjects named herein may be found, and shall formulate and recommend plans for the organization of training and normal schools for the preparation of teachers of said subjects. He shall, in all proper ways, seek to awaken an active interest among teachers in the subjects required herein to be taught, and shall, in all proper ways, awaken public sentiment to the importance of teaching said subjects in the common schools and all public schools with efficiency and success, and shall make such investigations as may be necessary for the proper performance of his duties as prescribed herein. (3.)

**Section 180. County Superintendent to Make Reports:** All county superintendents of education shall file a written report with the president of the state board of education annually, at such time as the president of said board may require, concerning the cost, character and extent of such courses of instruction in the branches provided herein to be taught in their respective counties, together with such reports on work done and suggestions in relation thereto as the president of the state board of education may require. (4.)

**Section 181. Requirements for Certificates:** No person shall teach, and no certificate be granted to an applicant to teach in the public schools receiving aid from the state, who has not passed a satisfactory examination in the elements of agriculture and allied branches mentioned herein. It shall be the duty of teachers in all schools receiving aid from the state to file quarterly, or at such times as the county superintendent may require, a written report

with the county superintendent of public instruction, of their respective counties, in full detail of any progress made, or work done in the different branches required to be taught under the terms of this article, together with such recommendations as they may deem advisable, and such other information as the county superintendent may require. Any teacher whose duty it is to instruct in branches herein to be taught, who fails or neglects to comply with the provisions of this article shall be discharged. (5.)

**Section 182. State Schools to Assist:** The state normal schools, and like schools to be hereinafter created, shall lend specific assistance in carrying out the purposes of this article by preparing teachers for the work of instruction in the elements of agriculture and allied branches named herein in the same manner as teachers are prepared for other required subjects, and shall render such co-operation and active support through their respective presidents, officers and teachers, as will best contribute to the successful introduction and support of a thorough system of agricultural and industrial education for the schools of the state. There shall be established in each of the state normal schools, located or hereafter to be located, a department to be known as the department of agriculture and industrial education, with a professor in charge who shall give such instruction in the regular courses as may be deemed necessary for the instruction of teachers in the public schools of the state. (6.)

**Section 183. A. & M. College Head of System:** The Agricultural and Mechanical college shall be the technical head of the agricultural, industrial and allied science system of education, and its president, professors and employees shall lend such assistance in carrying out the objects, aims and purposes of the state constitution requiring the teaching of agriculture and allied practical subjects as shall not conflict with the immediate duties incumbent on them in said institution. (7.)

**Section 184. Duty of Supervisor:** There is hereby created a chair of agriculture for schools, the occupant of which shall be a member of the faculty of the Agriculture and Mechanical College, whose duty shall be to direct and advise in all matters relating to the teaching of agriculture and allied subjects in the common schools, under the supervision of the president of the Agricultural and Mechanical College, and he shall be paid from the funds of the Agricultural and Mechanical College, and he shall visit the schools, the teachers' institutes, the summer normal schools and the state normal schools, advise with the teachers and officers concerned, and plan such means of co-operation in the improvement of methods, appliances, the use of seeds, plants and trees as may, from time to time, be necessary, and shall prepare, print and distribute such leaflets and other literature as may be helpful to teachers and pupils concerned or engaged in teaching industrial, practical and scientific subjects bearing on technical and practical agriculture and its allied branches. (8.)

**Section 185. A. & M. College to Make Surveys:** It shall be the duty of the Agricultural and Mechanical College, under the board of agriculture (ex-officio board of regents of said institution) to carry on all natural history surveys, soil surveys, mineral and forestry surveys that are now provided for by the laws of the state, or that may hereafter be provided for, and it shall be the duty of the said Agricultural and Mechanical College to co-operate with the national department of agriculture in carrying out the surveys herein mentioned, and in the construction of county roads and in all ways and by all means to supply the school and the people with agricultural, industrial and technical facts demanded by the spirit of this article. (9.)

**Section 186. Course of Study for Schools:** The state commissioners of agricultural and industrial education, with the assistance of such experts in agricultural education as may be secured from the state and national department of agriculture, shall have the authority, and it shall be their duty to prepare a detailed course of study in the elements of agriculture and allied subjects, domestic science and economics, adapted to the needs of instruction in the elementary and secondary schools of the state. The commission shall prepare a syllabus of the course of study in each subject, in such detail and with such elaboration of the body of knowledge to be considered as may be necessary for the organization and administration of the proper courses of instruction in said branches. In preparing the course of study herein required to be taught, any of said subjects may be combined on one text-book

so they will be adapted to the various schools in which they are taught, at the same time, so far as possible, giving practical educational values to each subject. Upon the satisfactory completion of said course of study, as evidenced by a diploma or certificate signed by the county superintendent of public instruction, pupils shall be admitted to the sub-freshman or higher class of the Agricultural and Mechanical College without further examination. It shall be the duty of the president of the Agricultural and Mechanical College each year to send to each school in this state where such branches as required by this article are taught, a catalog, and upon application, to furnish such schools such information as may be desired relative to said college. Such catalogs and other information shall be kept in each school for reference. (10.)

**Section 187. County Superintendents to Conduct Examination:** It shall be the duty of the county superintendent of public instruction to give public notice of the examination provided for in the preceding section at the time of all regular teachers' examinations and to submit such questions to any candidate who may desire to enter the Agricultural and Mechanical College. The examination shall be conducted in the same manner as are regular teachers' examinations of the county. The work of each and every candidate, together with the names and address, shall be forwarded to the state superintendent within ten days from the date of the examination, and by him to the president of the college, who shall examine and grade the answers and report to the candidate as soon as possible after the receipt of the paper, the result of the examination. An average grade of seventy per cent in each branch shall admit the candidate to the Agricultural and Mechanical College without further examination. (11.)

**Section 188. Experimental Farms:** There shall be an experimental farm, operated by each of said agricultural schools, on which careful trials shall be made of the best fruits, vegetables, flowers, field and forage crops, fertilizers, and stock feeds for that section, as well as the system of dairying, drainage, irrigation and farm management that may be considered of practical value and adapted to the needs of the people of such supreme court judicial districts: Provided, that each district agricultural school shall make at least one report annually to the governor of the state covering all work done, its cost, the results and the probable value of such experiments, which report shall be published for free distribution to farmers, fruit and vegetable growers and stockmen in the supreme court judicial district in which said school is located. (12.)

**Section 189. Short Courses in Agricultural Schools:** There shall be held annually by each of said agricultural schools a farmers' short course extending over at least one week and embracing practical elementary scientific instruction in those branches of agriculture that may be deemed most important in the supreme court judicial district in which any such agricultural school is located at the time such short course of instruction is to be provided, including a course in domestic economy, canning, preserving and cooking. There shall be no fees charged for attendance on these practical courses of instruction, and no entrance examination may be required: Provided, that all citizens of the white race over fifteen years of age shall be entitled to admission to such courses. (13.)

**Section 190. Higher Branches Prohibited:** No course of instruction shall be offered in such agricultural schools, other than industrial courses, but this shall not exclude teaching the common school branches, the languages, manual training, manufacture, the sciences and other necessary studies in the industrial courses. (14.)

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## ARTICLE XI.

### Normal Institutes and Training Courses.

**Section 191. County Summer Normals:** The county superintendents of public instruction may hold annually in their respective counties for a term of not less than two weeks nor more than four weeks, ending on the last Fri-



day of June, July or August, a normal institute for academic and professional instruction of teachers and those desiring to teach: Provided, that two or more counties may be united in holding one normal institute each year, as hereinafter provided. (1.)

**Section 192. Teachers' Training Course May Be Substituted:** Where such county superintendent deems it to be for the best interest of the schools of the county, the county normal institute may be dispensed with and there shall be substituted in lieu thereof a teachers' training course of not less than two weeks and not more than four weeks in which special training shall be given the teachers of such county by persons specially prepared for such instruction. Said course shall include the following subjects: School law and government, hygiene and sanitation, methods of teaching, child psychology, primary methods, including the best methods of presenting all elementary subjects taught in the common schools, emphasizing the teaching of reading and spelling. The expense of conducting the teachers' training course shall be paid from the fund derived from the issuance of county certificates and shall be supplemented by an appropriation by the county commissioners of not more than two hundred dollars annually. No fee shall be charged the teachers who attend the teachers' training course, nor shall any examination be given for teachers' certificates at the close. The training course provided for above shall be held just prior to the opening of the schools for the following school year at some convenient point in the county, to be selected by such county superintendent, and all persons who desire to teach in the county the ensuing year shall be required to attend the entire session unless prevented by sickness or other unavoidable disabilities. It shall be the duty of the state superintendent to prepare rules and regulations governing the conducting of the training course above provided for. (2.)

**Section 193. May Assign State Teachers:** Any teacher, instructor, or professor employed in any of the state educational institutions who receives an annual salary of eleven hundred dollars or more, may be assigned by the state superintendent of public instruction to assist in a normal institute or teachers' training course to perform such work as may be required of him by the state superintendent. No additional salary shall be paid to such teacher, instructor or professor for such additional work, but said teacher, instructor or professor shall be reimbursed by the state for transportation charges only, and the county where such additional services are rendered may pay the hotel expenses of said party, not to exceed ten dollars per week. (3.)

**Section 194. Time, Term, and Place to Be Fixed by County Superintendent:** The county superintendent shall determine the time, length of term and place of holding the annual sessions, in conformity with the preceding section, and shall select and employ a conductor and instructor for the same: Provided, that all such contracts for a conductor and instructors shall be approved by the state superintendent of public instruction before such contracts are valid. (4.)

**Section 195. Fee Required:** To defray the expenses of such institute session the county superintendents of public instruction shall require the payment of a uniform fee of not less than one dollar, nor more than three dollars, by each person enrolled in said institute; they shall further require the payment of a fee of two dollars by each applicant for a teacher's certificate; and, in addition to such sum, the county commissioners shall, upon recommendation of the county superintendent of public instruction, allow a sufficient sum, not to exceed two hundred dollars for each institute to be paid out of any funds of the county not otherwise appropriated. (5.)

**Section 196. Normal Institute Fund:** The sum thus created shall be designated the normal institute fund, and the county treasurer shall be custodian thereof. (6.)

**Section 197. County Superintendent to Report to County Treasurer:** The county superintendent of public instruction shall, at the close of each regular teachers' examination, and at the close of each teachers' normal institute, transmit to the county treasurer all moneys received by said superintendent, as provided in the second preceding section, together with the name of each person contributing the amount in each case, and the county treasurer shall place all moneys to the credit of the normal institute fund. (7.)

**Section 198. Disbursement of Funds:** All disbursement of the normal institute fund shall be upon written order of the county superintendent of public instruction and no order shall be drawn upon said fund, except as accompanied by a written and itemized statement of services rendered or expenses incurred, and no order shall be drawn in favor of such county superintendents themselves. (8.)

**Section 199. Certain Payments Prohibited:** No county superintendent of public instruction shall pay moneys from the before mentioned fund to any conductor or instructor, unless the said conductor or instructor shall have first received an institute certificate from the state board of education: Provided, that all certificates issued by the board of education shall be valid for the remainder of the term for which issued, when the same shall have been examined and approved by the state superintendent of public instruction: Provided further, that no county superintendent shall employ or pay moneys from the normal institute (fund) to any conductor or instructor who draws a salary from the state or federal government. (9.)

**Section 200: Subjects Required:** County superintendents of public instruction shall require both the academic and professional branches to be taught in each institute session, and all of them, as outlined in the normal institute course of study for this state, or as ordered by the state superintendent of public instruction, in the manner prescribed by him. (10.)

**Section 201. County Superintendents to Meet Requirements—No Compensation:** County superintendents of public instruction shall not serve as conductors or instructors in institutes in which their counties are interested, unless they have first met the requirements set forth in the second preceding section, and in no case shall they draw pay for services as conductor or instructor in their own counties. (11.)

**Section 202. Two or More Counties May Unite:** By and with the consent of the state superintendent of public instruction, two or more counties may unite in holding one normal institute each year, in one of the counties so uniting; the county superintendents of public instruction of the counties so uniting shall agree upon the time, place, and length of term of such normal institute, as hereinbefore provided, but none of them shall be the conductor or instructor of such institute session, except as provided in the preceding section, and none of such superintendents of public instruction of any of the counties so forming such joint normal institutes shall be eligible to draw a salary or otherwise any moneys from such normal institute fund, and the county treasurer of the county in which such joint normal institute is held shall be the legal custodian of such fund for that session. The county superintendent of public instruction of the county in which such joint normal institute is held shall draw and sign all orders upon such funds for the joint session of such normal institutes, and the county commissioners in each of said counties so uniting shall be subject to the provisions of the third section of this article, except they shall not appropriate to the normal institute fund to exceed one hundred dollars for each of said counties so united; and at the close of such joint normal institute session, each county treasurer shall again be the custodian of all such funds in his county. No contracts shall be entered into by any two or more county superintendents for a period longer than two years, but at the end of each two years such contracts may be renewed as hereinbefore provided. (12.)

**Section 203. Separate Normals:** All teachers of the negro race shall attend separate institutes from those for teachers of the white race, and in all counties where the number of teachers of either race is less than twenty-five desiring to attend such institute, they shall have the right and privilege to attend any institute for their race or to unite with the teachers of their race in any other county under the provisions of the preceding section, and they shall be given equal facilities with the other race in such county or counties, and their conductor or instructor shall be of their own race only: Provided, that all moneys and fees paid by them shall be used to pay their own conductor and instructors and they shall receive their prorata of all appropriations made by the county commissioners for institute funds in their county or counties, according to the actual attendance thereof. (13.)

**Section 204. Annual Report to State Superintendent:** The county superintendents of public instruction of the respective counties of Oklahoma shall annually make a complete report to the state superintendent of public instruction, on blanks provided for the same furnished by him; all data relative to institutes; exact time of holding the session, length of term; place, town and county; name of conductor and instructors, and any other information required by the state superintendent of public instruction, which report must be filed at the capitol not later than the first Friday of April of each year. (14.)

**Section 205. Conductor's Report:** All conductors of teacher's institutes in the respective counties of this state shall, at the close of such sessions, and before full compensation for such work is received, make out in duplicate form a full and complete report of such sessions, embracing the following facts: Date of opening and closing such session, enrollment fee, number of members enrolled with their names, ages, sex, classification, grade, normal institute grade, experience in months and any other facts, required by the state superintendent; also the names of the conductor and instructors, the date of issue and expiration of institute certificates, salary and other compensation received, copy of the daily program used, and a certified statement to the effect that the normal institute course of study and the instructions of the state superintendent were followed, both in word and in spirit, during such session together with any recommendations or suggestions to the state superintendent tending to the betterment of the course of study of the work for the succeeding institute year of June, July or August. A copy of this report shall be filed by such conductors immediately at the close institute session, with the respective county superintendent, to become a part of their office records and a duplicate copy shall be transmitted by mail by such conductors to the state superintendent of public instruction to become a part of his office record of the same. (15.)

**Section 206. Same—Penalty for Not Making Report:** Any conductor who shall fail to comply with all the provisions of this article shall be subject to the revocation of his normal institute certificate by the state superintendent of public instruction of this state. (16.)

**Section 207. Penalty for Violation:** Any county superintendent of public instruction who shall in any manner violate the provisions of this article, upon conviction thereof, shall be guilty of a misdemeanor, and for the second offense, may be removed from office, as provided by law. (17.)

## ARTICLE XII.

### Kindergarten Education.

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**Section 208. May Establish Kindergarten:** The directors of any school district, board of education or other duly authorized, appointed, elected or qualified public school officers of any town, city or school district having a population of twenty-five hundred or more, may establish and maintain kindergartens in connection with the public schools under their jurisdiction for all children between the ages of four and six years. (1.)

**Section 209. Definition of Term:** The term kindergarten shall be construed to mean the application of the methods of Froebel or some approved American development of said methods, and not merely sub-primary grades for children under six years of age shall be established under the authority of this article. (2.)

**Section 210. Departments in State Normals:** Within one year after the provisions of this act shall become law, provisions shall be made or departments established for the training of kindergarten teachers in the normal schools of the state. (3.)

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## ARTICLE XIII.

### Compulsory Attendance and Mother's Pension.

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**Section 211. Compulsory Period—Duties of Parents:** It shall be unlawful for any parent or guardian living in the state of Oklahoma to neglect or refuse to cause or compel any person or persons who are or may be under their control as children or wards to attend and comply with the rules of some public, private or other school or schools unless other means of education are provided for at least 66 per cent of the number of days the school or schools of the district are maintained, which shall apply to all children of the district over the age of eight and under the age of sixteen, unless they are prevented by mental or physical disability, the question of disability to be determined by the school district board or board of education upon a certificate from a duly licensed and practicing physician. (1.)

**Section 212. Complaints by Board Members or Other Parties—Teachers Report:** It shall be the duty of the school district board or any person living in the district to make complaint with the justice of the peace of the township in which the school district is situated against any person failing or refusing to comply with the provisions of the above section. It shall also be the duty of the teacher of the school to ascertain if any person is absent from the school without a proper excuse and if so to advise the county superintendent of public instruction of that fact. Such county superintendent shall then report such information to the county attorney of the county, who shall file complaint in any justice court of the county where the offending party resides, against such person or persons failing or refusing to compel the attendance of the child or children under his control to attend school for the time prescribed in the above section. (2.)

**Section 213. Free Books May Be Furnished:** If any parent, guardian or custodian of any child or children is financially unable to furnish such child or children with the necessary books with which to attend school, the county superintendent of public instruction of the county where such parent or guardian or custodian resides shall furnish upon recommendation of the district board or the board of education of independent districts books for such purpose to such child or children, which books shall be furnished and paid for upon the certificate of such officer by the board of county commissioners of the county in which such child or children resides. (3.)

**Section 214. Relief for Widowed Mothers:** If any widowed mother shall make affidavit to the effect that the wages of her child or children, under sixteen years of age are necessary to the support of such widowed mother, then the county superintendent of public instruction shall, after careful investigation, upon the recommendation of the school district board, or board of education, furnish such child or children a certificate called a "scholarship," stating the amount of wages such child or children are receiving, or so much of such wages as shall be deemed necessary so long as such child or children shall attend the public school in accordance with the provisions of this article, which aid shall be allowed and paid upon the certificate of the county superintendent of public instruction to the child or children holding such scholarship, by the county commissioners. (4.)

**Section 215. Penalty for Violation:** Any person violating the provisions of any section of this article shall be guilty of a misdemeanor and upon conviction, shall be fined in any sum not less than ten dollars nor more than twenty-five dollars. Each day a child is out of school contrary to the provisions of this article shall constitute a separate offense. Said fine, when collected, shall be credited to the school fund of the district in which the offending party resides. (5.)

**Section 216. County Commissioners Shall Provide Fund for Destitute Mothers:** It shall be the duty of the board of county commissioners, in making the estimated needs of such county for the fiscal year, to provide an amount not to exceed eight thousand (\$8,000.00) dollars; and it shall be the duty of the county excise board in such county to make a levy for such sum as may be needed, not to exceed the estimate made by the county commissioners for the partial support of indigent women whose husbands are dead or insane, or prisoners in any state institution, when such women are mothers of children under the age of fourteen years, and such mother and children reside in such county. (Sec. 1, S. B. 210, chap. 183, L. 1915.)

**Section 217. Amount of Allowance:** The allowance to each of such women shall not exceed ten dollars (\$10.00) a month when she has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed the sum of ten dollars (\$10.00) a month for the first child and five dollars (\$5.00) a month for each of the other children under the age of fourteen years. (Sec. 2, S. B. 210, chap. 183, L. 1915.)

**Section 218. Conditions of Payment:** Such allowance shall be made by the county court and only upon the following conditions 1. The child or children for whose benefit the allowance is made must be living with the mother of such child or children. 2. The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children. 3. The mother must, in the judgment of the county court, be a proper person, morally, physically and mentally, for the bringing up of her children. 4. Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect. 5. No person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance. (Sec. 3, S. B. 210, chap. 183, L. 1915.)

**Section 219. Allowance Ceases—When:** Whenever any child shall reach the age of fourteen years any allowance made to the mother of such child for the benefit of such child shall cease. The county court may, at its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child. (Sec. 4, S. B. 210, chap. 183, L. 1915.)

**Section 220. If Fund Insufficient, County Judge to Select Cases:** Should the fund herein authorized be sufficient to permit an allowance to only a part of the persons coming within the provisions of this law, the county court shall select those cases in most urgent need of such allowance. (Sec. 5, S. B. 210, chap. 183, L. 1915.)

**Section 221. Provisions not to Apply—When:** The provisions of this law shall not apply to any woman whose husband is not dead or who is not confined in the Oklahoma State Penitentiary or other prison in this state, or is in a state institution for the insane in this state, and in the two latter cases it shall not apply unless such prisoner is the lawful husband of the woman seeking such allowance. (Sec. 6, S. B. 210, chap. 183, L. 1915.)

**Section 222. Penalty:** Any person procuring or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred (\$100.00) dollars nor more than five hundred dollars (500.00) or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment. (Sec. 7, S. B. 210, chap. 183, L. 1915.)

**Section 223. Order to Be Made by County Judge:** In each case where an allowance is made to any woman under the provisions of this act, a judgment entry to that effect shall be entered upon the records of the county court making such allowance, and it shall be the right of any tax paying citizen at any time to file a motion to set aside such judgment; and on such motion the county court, or the court to whom such motion may be taken on a change of venue, shall hear evidence, either with or without a jury, as either side may demand, and may make a new order granting or refusing such allowance, and from such order so made an appeal shall lie as in ordinary civil cases. If the judgment making such allowance is not appealed from, or is affirmed on appeal, the person filing such motion shall pay all the costs of such motion and the proceedings subsequent thereto. Such motion may be renewed from time to time, but not oftener than once in any calendar year. (Sec. 8, S. B. 210, chap. 183, L. 1915.)

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## ARTICLE XIV.

### County Certificates and Board of Examiners.

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**Section 224. Board of Examiners, Term and Compensation:** In each county there shall be a board of county examiners composed of the county superintendent of public instruction, who shall be ex-officio chairman of said board, and two competent persons, holders of first grade certificates or diplomas from some state university, normal school or agricultural college, who shall be appointed by such county superintendent and shall serve from the time of their appointment until their successors have been appointed and each member of the examining board shall receive for his services the sum of three dollars per day, not to exceed five days in any one quarter of the year, except at the close of the normal institute not to exceed ten days, said sums to be paid from the contingent fund of the county: Provided, each member of the board shall receive pay for only the number of days he or she is employed in holding examinations and grading papers. (1.)

**Section 225. Examination Dates:** The board, two of whom shall constitute a quorum, shall, on the fourth Thursday and the Friday and Saturday following in January, April and October and at the close of the normal institute for that county, only at such places as may be designated by such county superintendent (who shall give ten days notice by publication in the official paper of the county) shall publicly examine all persons proposing to teach in the public schools of the county, as to their competency to teach the branches prescribed by law; and such board of examiners shall issue certificates, as hereinafter provided, to all such applicants as shall pass the required examination and satisfy the board as to their good moral character and their ability to teach and govern schools successfully. (2.)

**Section 226. Certificates Issued:** Certificates issued by the county boards shall be of three grades; first, second and third, and shall continue in force respectively, four years, two years, and one year. (3.)

**Section 227. First Grade Certificates:** Certificates of the first grade shall certify that the person to whom they are issued is proficient in and fully qualified to teach algebra, physics, American literature, arithmetic, composition, civics, elementary psychology, English grammar, geography, Oklahoma history and government, orthography, physiology and hygiene, reading, theory and practice of teaching, United States history, writing and the elements of agriculture, domestic science, music and general history, and shall not be issued to any person under twenty years of age, and not to those who have not taught successfully twelve school months: Provided, that no person who receives a first grade certificate shall make a general average of less than ninety per cent, and not below seventy-five per cent in any one subject. (4.)

**Section 228. Second Grade Certificates:** Certificates of the second grade may be issued to persons not less than eighteen years of age, who shall fully satisfy the board as to their ability to teach all the branches prescribed for first grade certificates, except algebra, physics and general history, and who have taught successfully six school months: Provided, that no person who receives a second grade certificate shall make a general average of less than eighty per cent or not below sixty-five per cent in any one subject. (5.)

**Section 229. Third Grade Certificates:** Certificates of the third grade shall certify that the person to whom they are issued is not under eighteen years of age and is proficient in, and fully qualified to teach, all the branches prescribed for a second grade certificate, except American literature and psychology, and made a general average of not less than seventy-five per cent and not below sixty per cent in any one subject; and no third grade certificate shall be issued more than twice to the same person. (6.)

**Section 230. Renewals:** All county teachers' certificates may be renewed for the term for which they were originally issued by the county superintendent of public instruction, upon satisfactory evidence that the holder has attended seventy-five per cent of the normal institutes or teachers' training courses held in the county where he taught or has taken as many as ten weeks special training in any of the state normal schools, and has attended as many as fifty per cent of the county teachers' associations held in the county during the time the certificate was in force and has been engaged continuously in teaching. (7.)

**NOTE**—If requirements for renewal of certificates have all been met, a certificate may be renewed prior to its expiration. (8-7-14.) County superintendent must collect same fee for renewing certificate as for issuing original certificate, (8-6-14.)

**Section 231. Certificates Valid in Other Counties—Revocation—State Certificate:** No third grade certificate shall be in force except in the county in which it is issued: Provided, that the county superintendent shall endorse the unexpired first grade certificates issued in any other county, and all second grade certificates shall be endorsed by the county superintendent of any county adjoining the county in which said second grade certificate was issued, which certificate shall thereby be valid in the county in which such endorsement is made for the unexpired term of the certificate. A certificate issued under this act may be revoked by the board of examiners on the ground of immorality or for any other cause that would have justified the withholding thereof when the same was granted: Provided, that if persons who apply for first grade certificates desire a state certificate of the same grade they may make application to the county superintendent of public instruction at the time they make preliminary application for the examination that their papers be forwarded to the state superintendent of public instruction and shall pay such county superintendent an additional fee of two dollars, then at the close of the examination, after all papers have been graded and certificates issued, such county superintendent shall forward to the state superintendent the examination papers of the applicants for state certificates and fees of two dollars. The state superintendent, upon receipt of the manuscripts and fees of two dollars, shall cause the papers to be examined and if it is found that the grades are sufficient as provided by section 4 of this article, the said state superintendent shall notify the applicant of the fact and if the applicant had received a county certificate from the county board of examiners, he shall send the county certificate to the state superintendent to be cancelled and receive in return a state certificate of the first grade, and if no county certificate had

been issued to the applicant, the state superintendent shall send the applicant a state certificate when notifying him of his grades, if the applicants are entitled to receive the same. The fees required in this section for state certificates shall be used by the state superintendent to employ competent persons to grade manuscripts forwarded to him by such county superintendents: Provided further, that all first grade certificates may be renewed for four years by the state superintendent upon satisfactory evidence that the holder has attended seventy-five per cent of the normal institutes held in the county where he taught, or has taken as many as twenty weeks special training in one of the state normal schools, and has attended as many as fifty per cent of the county and state teachers' associations held in the county and state during the time the certificate was in force and has been engaged continuously in teaching. (8.)

**Section 232. Carrying of Grades Prohibited:** No person shall be permitted to carry any grades from a certificate of a lower grade to a certificate of a higher grade: Provided, that credits secured within three years from any of the state normal schools, the state university and the Agricultural and Mechanical College on subjects that would entitle the holder to graduation on that subject may be substituted in lieu of an examination on that subject and said credits may be carried from a certificate of a lower grade to a certificate of a higher grade. (9.)

NOTE—Credits made in accredited high schools and accepted by a state institution cannot be certified to the county superintendent and accepted on certificates. See also Sec. 11.

**Section 233. Temporary Certificates:** The county superintendent, upon request made in writing by any district board, and after satisfying himself by examination of the ability or proficiency of the applicant, may grant a temporary certificate in case of necessity, valid only in the designated district, and valid only until the next regular examination by the county board of examiners: Provided, that no such temporary certificate shall be granted to any applicant who has failed in examination at any such regular meeting of the board, nor shall such certificates be granted twice to the same person: Provided further, that the county superintendent shall not be compelled to charge for the issuance of temporary certificates. (10.)

**Section 234. No Certificate Without Examination—Penalty:** No certificate shall be issued by any board of county examiners except on examination as herein provided and any county superintendent or member of the county board of examiners who violates any of the provisions of this article, not otherwise provided, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than one hundred dollars and not more than five hundred dollars. (11.)

**Section 235. Disposing of Questions Prohibited—Penalty:** Should any person offer to sell, barter or give away what purports to be copies of questions to be given at a future examination, he shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred dollars nor more than three hundred dollars, and shall be confined in the county jail for not less than thirty days nor more than six months and be forever barred from teaching in any of the public schools of this state. (12.)

**Section 236. Same:** Should any printer or party who has custody of the examination questions prior to the date of the examination wilfully permit the same to fall into the hands of parties unauthorized by law to receive them (he) shall be guilty of a misdemeanor, and upon conviction, shall be punished as provided in section 12 of this article. (13.)

**Section 237. Regulations for Handling Questions:** Questions for the examination shall be printed by the direction of the state superintendent and shall be furnished to the county superintendents of public instruction only upon written requisition for the same. The questions for each day shall be securely sealed in separate envelopes and the three envelopes securely wrapped in a package. The package containing the envelopes shall have written or printed thereon a notice of the contents and the date of the examination. On the morning of the first day of the examination, after the preliminary applications have been made, the original package shall be opened by the party conducting the examination in the presence of the persons applying for certificates, and the envelopes taken therefrom. The envelope containing the questions for the



first day shall then be opened in the presence of persons applying for certificates, and on the mornings of the second and third days the other envelopes shall be so opened. Persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be punished as provided in section 12 of this article. (14.)

**Section 238. Giving Aid Prohibited:** If any person offers to give or receive aid during the examination, it shall be the duty of such county superintendent or the person conducting the examination, to compel such person or persons to retire from the examination and he shall be barred from receiving a certificate for one year. (15.)

**Section 239. Academic or Professional Training Required After January, 1918:** After January, 1918, no person shall receive a third grade certificate unless he shall have had either academic training equivalent to one year in an approved high school of this state, or have had at least ten weeks professional training in one of the Oklahoma State Normal Schools, State University, or Agricultural and Mechanical College, or an institution in this state, or other state having equivalent teachers' professional course, and no person shall receive a second grade certificate unless he shall have had academic training equivalent to two years in an approved high school of this state or have had at least twenty weeks professional training in one of the Oklahoma State Normal Schools, State University, or Agricultural and Mechanical College, or institution in this state or other state having equivalent teachers' professional course, and no person shall receive a first grade certificate unless he shall have had either academic training equivalent to three years in an approved high school of this state or have had at least thirty-six weeks professional training in one of the Oklahoma State Normal Schools, or State University, or Agricultural and Mechanical College, or an institution in this state or other state having equivalent teachers' professional course. This section shall never affect the right of renewal under section 230. (Sec. 1, S. B. 413, chap. 282, L. 1915.)

**Section 240. Fee for Certificates—Disposition:** The county superintendent of public instruction shall collect from each party applying for a county certificate a fee of two dollars, which shall be turned over to the county treasurer to be credited to the normal institute fund of the county, to be used only in defraying the expense of conducting normal institutes or teachers' training courses in that county. (17.)

**Section 241. Revocation of Certificates:** A certificate issued under the provisions of this article may be revoked by the power issuing the same on the ground of immorality, or for any cause that would have justified the withholding thereof when the same was granted. (18.)

## ARTICLE XV.

### Separate Schools.

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**Section 242. Races Shall Be Separate:** The public schools of the state of Oklahoma shall be organized and maintained upon a complete plan of separation between the white and colored races, with impartial facilities for both races. (1.)

**Section 243. Meaning of Terms:** The term "colored" as used in the preceding section shall be construed to mean all persons of African descent who possess any quantum of negro blood, and the term "white" shall include all other persons. The term "public school," within the meaning of this article, shall include all schools provided for, or maintained, in whole or in part, at public expense. (2.)

**Section 244. Separate School Designated:** The county separate school in each district is hereby declared to be that school in said school district of the race having the fewest number of children in said school district: Provided, that the county superintendent of public instruction of each county shall have authority to designate what school or schools in each school district shall be the separate school and which class of children, either white or colored, shall have the privilege of attending such separate school or schools in said school district. Members of the district school board shall be of the same race as the children who are entitled to attend the school of the district, not the separate school. (3.)

**Section 245. Penalty for Violation:** Any teacher in this state who shall wilfully and knowingly allow any child of the colored race to attend the school maintained for the white race, or allow any white child to attend the school maintained for the colored race, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than fifty dollars, and his certificate shall be cancelled and he shall not have another issued to him for a term of one year. (4.)

**Section 246. Provisions Apply to All Schools and Colleges:** It shall be unlawful for any person, corporation or association of persons, to maintain or operate any college, school or institution of this state where persons of both white and colored races are received as pupils for instruction, and any person or corporation who shall operate or maintain any such college, school or institution in violation hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars, nor more than five hundred dollars, and each day such school, college or institution shall be open and maintained shall be deemed a separate offense. (5.)

**Section 247. Punishment:** Any instructor who shall teach in any school, college or institution where members of the white race and colored race are received and enrolled as pupils for instruction, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than fifty dollars for each offense, and each day any instructor shall continue to teach in any such college, school or institution shall be considered a separate offense. (6.)

**Section 248. Illegal to Attend School of Different Race:** It shall be unlawful for any white person to attend any school, college or institution, where colored persons are received as pupils for instruction, and any one so offending shall be fined not less than five dollars, nor more than twenty dollars for each offense, and each day such person so offends as herein provided shall be deemed a distinct and separate offense: Provided, that nothing in this article shall be so construed as to prevent any private school, college or institution of learning from maintaining a separate or distinct branch thereof in a different locality. (7.)

**Section 249. Support for Separate School:** In all counties where county separate schools for white and colored children are maintained, the county excise board shall annually levy a tax on all taxable property in their respective counties sufficient to maintain such separate school, as hereinafter provided, upon an estimate made by the county commissioners, said taxes shall be estimated, published, levied and collected in the same manner as other taxes for county purposes, and in school districts where such separate schools are maintained, no white child shall attend a colored school or a colored child attend a white school. (8.)

NOTE—Repairs to all buildings for separate schools must be made by the county. (8-10-14.) Supplies for separate schools are purchased and paid for by the county. (2-2-14.)

**Section 250. No Separate School—When:** In any school district in such county having both white and colored children of school age where the number of such children, either white or colored, of school age, does not exceed ten, and they can be transferred to schools of their own color in adjoining districts, as hereinafter provided, no separate school shall be maintained. (9.)

**Section 251. May Transfer Pupils:** When either the white or colored children of school age in any said school district having both white and colored children of school age, do not exceed ten in number, the county superintendent of public instruction in such county shall transfer the white or colored children to the nearest school of their own color in some adjoining district, when the same can be done with the consent of their parents, guardian or custodian, or without such consent when any such children can be so transferred without compelling them to travel more than two and one-half miles to attend such school, and when any child is so transferred to another school under the provisions of this section, such county superintendent shall apportion the per capita of all school revenue, except local school district tax and county separate school fund, to the school district to which it is transferred, and such child shall have all the rights and privileges to which it is transferred that are enjoyed by children resident in such district. (10.)

**Section 252. County Superintendent to Report to County Commissioners:** The county superintendent of public instruction of each county shall ascertain what districts of his county have separate schools for white and colored children, the number of such children of each color in each district, and further ascertain the districts, if any, maintaining separate schools that have not erected school houses for both white and colored children, and report the same to the board of county commissioners of his county, and in like manner report such facts when any other district in his county may desire to establish such separate school. (11.)

**Section 253. County Commissioners to Erect Buildings:** If, upon the receipt of such report, the board of county commissioners of such county find from such report, or any other legal evidence that they may desire to consider, that any of such districts so maintaining or that are entitled to maintain separate schools for white and colored children, have not within such school district a school building for that class of children which have been designated by such county superintendent as the class of children which may attend the adjoining districts, as provided herein, then said board of county commissioners shall cause such county superintendent of such county to file with them a statement in writing with the specifications of the kind of school house needed by the class of children that are to attend such county separate school, and when such board of county commissioners have settled the plans and specifications of such building suitable in their judgment for such purpose, they shall advertise for bids for the construction of such building by a notice posted in such district, and published at least four consecutive weeks in a newspaper published in such county, if any be published therein, and if no newspaper be published in such county, then by posting public notices in said school district, and at five other public places in said county, and such contract shall be let to the lowest responsible bidder in the same manner as other contracts are let, and the board of commissioners shall take proper bonds for the performance thereof. Such buildings when completed and accepted by such board of county commissioners, shall be paid for by them by warrants drawn by them on the separate school fund of such county. (12.)

**Section 254. County Superintendents to Employ Teachers:** It shall hereafter be the duty of all county superintendents of public instruction to contract with and employ all the teachers for the county separate schools now maintained, or hereafter to be established in their respective counties: Provided, that the board of education in all independent districts shall contract with and employ all the teachers for the schools of such districts which have been designated by the county superintendent as the county separate school within such districts. Teachers before being so employed shall possess all the qualifications which are now required by law, and the county superintendent of public instruction shall have the power to prescribe rules and regulations for the government of all county separate schools in his county, except those within the independent districts. (13.)

**Section 255. County Clerk to Issue Warrants:** Warrants for the salary of teachers employed in the separate schools and all orders or warrants for the expenses of such schools shall be issued upon the treasurer by the county clerk and countersigned by the county superintendent: Provided, however, that the county clerk shall not draw on said separate school fund for any greater amount for teachers employed for any district than is paid the like number of teachers for the like time by the school district for teaching in the other schools of said district. (14.)

**Section 256. Site Convenient to Majority of Pupils:** When a school house is to be built by the county out of the county separate school fund for the benefit of those children who are to attend the county separate school, it may be built at any place within said district which in the judgment of the board of county commissioners will be most convenient to the greatest number of children for whom it is entitled and for such purpose such board of county commissioners may receive title to a proper school site by gift, purchase, or proceeding to condemn the same, in the same manner and with like effect as where such actions are brought by school district. (15.)

**Section 257. Unused Property May Be Sold:** The board of county commissioners of any county is hereby authorized to sell and convey any real estate deeded to or held by such county, for the purpose of maintaining a county separate school where the same has not been used for county separate school purposes for the preceding two years, and in the opinion of such commissioners will not be needed for such purposes, such sale to be in the manner hereinafter provided. (16.)

**Section 258. Same—Preliminary Action:** Before any such sale shall be made, the board of county commissioners, in regular or special session, shall adopt a resolution declaring that said real estate had not been used for separate school purposes during the two years immediately preceding the date of such resolution, and that the same is not needed for separate school purposes; said resolution to be published with other proceedings of said board, and a copy of said resolution shall be certified by the county clerk to the judge of the district court of such county, and such judge shall make a finding as to whether it is to the best interest of the county separate school fund that such property be sold, and if he finds that such sale is to the best interest of such fund, he shall appoint three disinterested freeholders of such county to appraise said real estate, said appraisal to be returned by said appraisers to the board of county commissioners. (17.)

**Section 259. Same—Public Notice Given:** Upon the return of the appraisal, as provided in the preceding section, the board of county commissioners shall give notice of such sale by publishing in some newspaper of general circulation in such county for a period of thirty days. (18.)

**Section 260. Bids to Be in Writing:** Bids for said real estate shall be in writing, sealed and delivered to the county clerk of such county, and by him presented (preserved) unopened until the next regular meeting of the board of county commissioners. After the expiration of ten days from the period of said publication, at which time the board of county commissioners shall open such bids and award the said real estate to the highest bidder: Provided, that such real estate shall not be sold for less than eighty per cent of its

appraised value, and the board of county commissioners shall have the power to reject any and all bids. (19.)

**Section 261. Deed Authorized:** When any real estate shall have been sold, as above provided, a deed shall be made therefor, signed and acknowledged by the chairman of the board of county commissioners and attested by the county clerk, which deed shall recite the several steps and proceedings taken to authorize such sale, and such recitals shall be prima facie evidence of the truth of the manner (matter) recited. (20.)

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## ARTICLE XVI.

### Transfer of Pupils

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**Section 262. Transfer Permits Authorized:** The county superintendent of any county in this state may, as provided in this act, when in his judgment the best interests of the schools will not be adversely affected, and when requested by the parents or guardian, and with the consent of the district board of the district in which they seek to attend, permit children living in any school district in this state to attend school in another school district. (1.)

**Section 263. Procedure of Transfer:** The county superintendent shall, within five days after the filing of request by the parents or guardians of school children as provided in section 1 of this act (article), notify in writing the school boards of the two school districts affected, of said request of transfer. The county superintendent shall also notify the boards of each district affected that he will hear any reason that any member of either board may offer why the transfer should not be made; the hearing to be had on a day named in said notice, not more than ten days from the giving of said notice. The above notice may be given by the county superintendent mailing to the secretary of each board a written notice of the request of transfer and the date of hearing. (2.)

**Section 264. To Hear Protests and Transfer Funds:** On the date of said hearing any member of either board affected by the transfer may appear before the county superintendent at his office in the county and give any reason why the transfer should not be made. After having heard any member of either board who desires to be heard, if the county superintendent is of the opinion that it is to the best interest of the school children, and that the best interest of the schools will not be adversely affected, he shall make the transfer. When the county superintendent authorizes such transfer of children from one district to another he may transfer the state, county and school district funds to such children from the district in which they reside to the district in which they attend school, provided such transfer of funds shall not create a deficit in the funds of the school district from which the transfer is made. If he is not so satisfied that it is to the best interest of the school children and that the interest of the schools affected will not be injured, he shall refuse the transfer: Provided, that any person interested in such transfer shall have the right of appeal from the action of said superintendent to the board of county commissioners. (Sec. 1, H. B. 166, chap. 16, L. 1915.)

**Section 265. No Transfer—When:** All hearings on applications for transfers of school children mentioned in the first three sections of this act (article) shall be had at least two months before the beginning of the schools in either district affected. (4.)

**Section 266. Transferred Pupils—Status of:** After having given notice of the proposed change of districts, and after the transfer being made by the

county superintendent, the parents and children and the school boards of either district affected shall be bound by the regulations, rules and compulsory school law of the school district to which the children are transferred for the school year. (5.)

**Section 267. Cities Considered School Districts:** For all purposes of this act (article) schools of cities of the first class shall be considered school districts. (6.)

**Section 268. New-Comers May Select School:** Renters and others who come into a school district from an adjoining school district after the school term has begun may make a choice of the school which their children will attend by giving notice to the county superintendent of their intention, as soon as a resident (residence) has been established, and their children shall be enumerated for that year by the school board for the district in which their children shall attend school. (7.)

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## ARTICLE XVII.

### General Provisions.

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**Section 269. Certificates to Graduates of State Schools:** Any graduate of a state normal school or of any other state educational institution, who has satisfactorily completed a course of study approved by the state board of education as specifically designated for preparation in teaching, may be granted a certificate covering such grade of schools and for such length of time as the state board of education may by regulation determine. (1.)

**Section 270. Justices of the Peace to Have Jurisdiction:** Justices of the peace shall have jurisdiction in all cases in which a school district is a party interested when the amount claimed by the plaintiff does not exceed his jurisdiction, as provided by statute, and the party shall have the right to appeal as in other cases, and all fines and penalties not otherwise provided for herein shall be collected by an action in any court of competent jurisdiction. (2.)

**Section 271. Vandalism Prohibited—Penalty:** Every person who shall wilfully injure or destroy any building used as a school house or for other educational purposes, or any furniture, fixtures or apparatus thereto belonging, or who shall deface, mar or disfigure any such school building, furniture, trees or fixtures by writing, painting, cutting or pasting, shall be fined in any sum not less than ten nor more than fifty dollars, and such fines, when collected, shall be turned into the county treasury for the support of the common schools of the county. The fine herein provided shall be in addition to and not in lieu of the punishment provided by the statute regulating crimes of such offenses. (3.)

**Section 272. Library Fund Shall Be Provided:** At the time provided by law for making and certifying the annual levy for taxes for school purposes each year, except as hereinafter provided, the district board of each school district, and the board of education of each city or town in the state of Oklahoma shall designate, set apart, and appropriate out of the district fund a sum of money as a library fund, to be used in the purchase of books and periodicals for a public library for such district, city or town, as follows: In districts employing one teacher, not less than five nor more than ten dollars each year; in districts employing more than one and less than four teachers, not less than ten nor more than twenty-five dollars each year; in districts employing more than three teachers, not less than twenty-five nor more than fifty dollars each year; in cities, not less than fifty nor more than one hundred

dollars each year. The board of education of each city or town and the district board of each school district, except as hereinafter provided, shall certify the appropriation herein provided to the county clerk, and the county clerk shall note the appropriation on the tax rolls and certify same to the county treasurer, and he shall set apart the sum so designated to the credit of the district, city or town appropriating the same, as a library fund: Provided, that districts in which the maximum levy, together with all other school funds, do not yield a revenue sufficient to support a four months' term of school during the school year, shall not be subject to the provisions of this and the following section. (Sec. 7937, Revised Laws 1910.)

**Section 273. Books to Be Purchased From List:** The county board of examiners of each county shall furnish the county superintendent a list of books, together with the list price of each, and the price at which they may be purchased, as nearly as possible, which list shall designate the order of purchase and shall govern the order of purchasing, so far as the funds will permit, and the county superintendent shall, within thirty days thereafter, mail to the secretary of each district board in the county the list of books furnished as herein provided, together with prices and other information and instruction for carrying out the provisions of this and the preceding section. The county board of examiners shall, at periods of not longer than two years thereafter, furnish additional lists of suitable books and periodicals, to be a guide to future purchases by district boards. All such purchases shall follow the order given by the county board of examiners, so far as the funds will permit, unless the lists include books already in the library of such school. No district board or board of education shall contract or pay in warrants or otherwise more than the lowest wholesale price of the books so purchased and any and all warrants issued in excess of such sum shall be void as to the excess (Sec. 7938, Revised Laws 1910.)

**Section 274. Flag to Be Displayed:** Every board of education and school district board within this state shall be required to own and display within the school house a United States flag. Such boards shall purchase such flag with any moneys derived for school purposes not otherwise specifically appropriated; and any person charged with the duty imposed by this section who shall fail to comply with the requirements of the same, or shall violate this law shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than one hundred dollars. (4.)

**Section 275. Sectarian Teaching Prohibited:** No sectarian or religious doctrine shall be taught or inculcated in any of the public schools of this state; but nothing in this section shall be construed to prohibit the reading of the Holy Scripture. (5.)

**Section 276. Inspection of State Institutions:** The state board of education shall have the authority and are hereby directed to visit and inspect or cause to be visited and inspected at least twice a year, all of the educational institutions of higher learning, both public and private, located within this state. (5a.)

**Section 277. Registration of Certificates and Diplomas Compulsory:** No person holding a state certificate shall be permitted to teach in any of the public schools of the state unless he shall file his certificate or diploma with the county superintendent of public instruction or the city superintendent if employed in any independent district; upon presentation the state certificate or diploma shall be registered in a book kept for that purpose by such county superintendent or the city superintendent, but no fee for registration shall be charged. (6.)

**Section 278. To Teach Morals:** In each and every public school, it shall be the duty of each and every teacher to teach morality, in the broadest meaning of the word, for the purpose of elevating and refining the character of school children up to the highest plane of life; that they may know how to conduct themselves as social beings in relation to each other, as respects right and wrong, and rectitude of life, and thereby lessen wrong-doing and crime. (7.)

**Section 279. To Teach Human Kindness:** In each and every public school, in addition to the other branches of study now prescribed, not less than one-half hour each week during the whole of each term of school, shall be devoted to teaching the school children attending said school kindness to and humane treatment and protection to dumb animals and birds, their lives, habits and usefulness, and the important part they are intended to fulfill in the economy of nature, and such studies on the subject as the board of public education may adopt. (8.)

**Section 280. Vivisection Prohibited:** No experiments upon any living creature shall be permitted in any public school within the state of Oklahoma. (9.)

**Section 281. Duty of Superintendents and Principals:** It shall be the duty of the state superintendent of public instruction, the superintendent of public instruction of each county, superintendent of public schools of each city, and the principal of each and every public school, to see that the provisions of the three preceding sections are strictly complied with in the public schools under his supervision. (10.)

**Section 282. No Payment of Salary—When:** No teacher in the public schools shall be entitled to receive any portion of the public school moneys as compensation for services, unless such teacher shall have complied with the provisions of the preceding sections. (11.)

**Section 283. Arbor Day:** The Friday following the second Monday in March of each year shall be hereafter known throughout Oklahoma as Arbor day. (12.)

**Section 284. Same—Manner of Observance:** It shall be the duty of the authorities of the public schools in this state, to assemble the pupils in their charge on Arbor day in the school buildings, or elsewhere, as may be deemed proper, to provide for the conduct, under the general supervision of the county superintendent of public instruction, or city superintendent or other chief officers having the general oversight of the public schools in each county or city such exercises as shall tend to encourage the planting, protection and preservation of the trees and shrubs, and an acquaintance with the best methods to be adopted to accomplish such results. (13.)

**Section 285. Poultry Exhibit and Premium:** The county commissioners of the respective counties of this state may and they are hereby authorized and empowered to appropriate and use any sum of money not to exceed one hundred dollars per year for the purpose of co-operating with the county branches for such respective counties of the Oklahoma State Poultry Federation in the work of increasing the poultry production in such respective counties, such money to be expended in each county under rules and regulations to be agreed upon by the county commissioners thereof and the officers of the county branch of the Oklahoma State Poultry Federation in such county. (Sec. 1, H. B. 510, chap. 252, L. 1915.)

NOTE—Resolved by the Oklahoma State Board of Education, that the county commissioners of each of the counties of the state are hereby respectfully requested to make the appropriation of one hundred (\$100.00) dollars, authorized by house bill No. 510 of the last session of the Oklahoma legislature, and to arrange for the same to be offered as premiums on different specimens of poultry raised by school children in the respective counties and exhibited by such children at the annual county shows to be held by the various county branches of the Oklahoma State Poultry Federation in said counties, and the various county school superintendents and school teachers of the state are respectfully directed to bring this matter to the attention of the school children of the state.

Adopted by the Oklahoma State Board of Education this 16th day of April, 1915.



## ARTICLE XVIII.

### Nepotism.

(Harris-Day Code.)

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**Section 286. Employment of Relatives Unlawful:** It shall be unlawful for any executive or ministerial officer to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree to any position or duty of the municipality of which the executive officer is a member, when the salary, wages, pay or compensation of such appointee is to be paid out of the public funds of such office. (2235.)

Revised by eliminating matter referring to officers other than school districts. The attorney-general holds that father and mother are first degree; grandfather and grandmother, brothers and sisters are second degree; uncles and aunts third degree; and first cousins and great uncles and great aunts fourth degree.

**Section 287. Unlawful to Pay Salary:** It shall be unlawful for any executive or ministerial officer mentioned in the preceding section, to draw or authorize the drawing of any warrant or authority for payment out of any public fund, of the salary, wages, pay or compensation of any such ineligible person, and it shall be unlawful for any executive officer to pay out of any public funds in his custody or under his control the salary, wages, pay or compensation of any such ineligible person. (2236.)

Revised by eliminating matter referring to officers other than school district officers.

**Section 288. Unlawful Appointment:** It shall be unlawful for any executive or ministerial officer to appoint and furnish employment for any person whose services are to be rendered under his direction and control and paid for out of the public funds, and who is related by either blood or marriage within the third degree to any other ministerial officer when such appointment is made in part consideration that such other officer shall appoint and furnish employment to any one so related to the officer making such appointment. (2237.)

**Section 289. Penalty:** Any officer who shall violate any provision of this article shall be deemed guilty of a misdemeanor involving official misconduct, and shall be punished by a fine of not less than one hundred or more than one thousand dollars, and shall forfeit his office. (2239.)

**Section 290. Officers Affected:** Under the designation executive or ministerial officer as mentioned herein are included public school trustees and all other officials of the state, district, county, city or other municipal subdivisions of the state. (2241.)

## ARTICLE XIX.

### School Fraternities.

(Chapter 92, Session Laws 1913.)

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**Section 291. School Fraternities and Societies Prohibited:** It shall be unlawful for any pupil registered in any elementary or high school of the state supported wholly or in part by public funds, to join, to become a member of, or to solicit any other person to become a member of any fraternal, sorority, or other secret society formed wholly or in part from the membership of pupils attending such school.

**Section 292. Enforcement by Boards of Education—Punishment:** The boards of education and school directors shall enforce the provisions of section 291 and shall have full power and authority to make all rules and regulations for the enforcement of its provisions. Any member or members of such boards of education or directors failing to take steps to enforce the provisions of section 291 shall be liable to a fine of not less than twenty-five dollars and not more than one hundred dollars for each failure.

**Section 293. Suspension and Expulsion of Pupils:** The boards of education and school directors shall have full power to suspend and expel any and all pupils who shall refuse to comply with the regulations of such boards, or the provisions of section 291 of this article.

**Section 294. Soliciting for Fraternity Membership Prohibited—Punishment:** It is hereby declared to be unlawful for any person to cause, solicit, induce, or encourage any pupil or pupils of the public elementary or high schools of the state to join, or become members of any fraternity, sorority or other secret society, or to solicit any person or persons to attend any meeting of such societies or other meeting wherein membership to such societies is encouraged. Such person shall be liable to a fine of not less than twenty-five dollars and not more than five hundred dollars for each offense. Such offender may be tried in any court of competent jurisdiction in the state.

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## ARTICLE XX.

### State Board of Education.

(Chapter 47, Session Laws 1910-1911.)

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**Section 295. State Board of Education Created:** The state board of education shall consist of seven members, including the state superintendent of public instruction, who shall be the president, and six members appointed by the governor, by and with the advice and consent of the senate, for a period of six years, except as hereinafter provided. The appointive members shall possess the same qualifications and be subject to the same restrictions and limitations as are now required of the textbook commission, and at least two of them shall be practical school men who shall have had at least four years experience in actual school work, two years of which shall have been in the state of Oklahoma. Upon the passage and approval of this act, two members shall be appointed for a term ending June 30, 1913, two members for a term ending June 30, 1915, and two members for a term ending June 30, 1917, subsequent appoint-

ments, except to fill vacancies, shall be for the full term of six years. The appointive members of said board shall receive as compensation for their services the sum of six dollars (\$6.00) per day, their necessary traveling expenses, and actual hotel expenses not to exceed three dollars (\$3.00) per day, while in the performance of their duties, and they shall not be removed during their term of office except for cause. There shall be appointed by the president to be approved by said board a secretary, who shall receive a salary of two thousand dollars per annum, and a stenographer, who shall receive a salary of twelve hundred dollars per annum, payable monthly, and said positions are hereby created.

**Section 296. Powers and Duties:** The state board of education, organized in pursuance of this act, shall be the legal successor of the state board of education as it now exists, the state textbook commission, the board of regents of the State University, the board of regents of the university preparatory schools at Tonkawa and Claremore, the board of education now in control of the state normal schools, the board of regents of the Oklahoma Industrial Institute and College for Girls at Chickasha, the board of regents of the School of Mines and Metallurgy at Wilburton, the board of control of the School for the Deaf at Sulphur, the board of control for the School for the Blind, the board of control of the Boys' Training School at Pauls Valley, the board of control of the Orphans Home at Pryor Creek, the board of control of the Institution for the Feeble-Minded at Enid, the board of regents of the Colored Agricultural and Normal University at Langston, the board of regents of the Institute for the Deaf, Blind and Orphans' Home for the colored at Taft, and shall have all the powers, rights and privileges heretofore legally exercised by said boards: Provided, nothing in this act shall invalidate any contracts entered into by the textbook commission. Said board shall have the following additional powers and duties:

- a. The general supervision of the public schools of the state.
- b. To formulate and adopt courses of study for the common schools and county normal institutes; and arrange courses of study, and adopt textbooks for use in the higher educational institutions of the state.
- c. To formulate rules and regulations governing the issuance of all certificates to teach in the public schools of this state.
- d. To prepare questions for the examination of applicants for county and city certificates to teach in the public schools of the state.
- e. To examine applicants for state certificates, to teach in the public schools of the state, and for conductors' and instructors' certificates to teach in the county normal institutes.
- f. To prepare examination questions for graduates from the eighth grade of the public schools.
- g. To classify the public high schools of the state and properly accredit them to the various higher educational institutions of the state.
- h. To formulate and adopt courses of study for state pupils' reading circles and for state teachers reading circles; and to select books to be used in said reading circles, and to prepare questions for the issuance of reading circle certificates.
- i. The state board of education shall make a biennial report to the governor and legislature, setting forth the work of the board and the conditions of the schools of the state. The board shall also prepare and submit to the governor thirty days before the convening of each regular session of the legislature a budget estimating the necessary appropriations for each of the institutions under their management and control.
- j. Upon application having been made in writing by the organization representing the commercial and business colleges and institutions in the state, it shall be the duty of said board to formulate rules and regulations which shall govern the organization, operation, management and control of said commercial and business colleges; the authority herein granted is in addition to that above stated to extend to the formulation and adoption of courses of studies, the length of time necessary to complete the same, and rules and regulations governing the issuance of diplomas by said commercial colleges.

**Section 297. May Assess and Collect Certain Fees:** The state board of education and the state board of agriculture shall have authority to fix and collect a library and laboratory fee from all students at various state institutions under their respective jurisdictions, said library fee to cover wear and tear of library books, and said laboratory fee to cover breakage in laboratory, and said boards shall require all non-resident students attending said institutions to pay a reasonable tuition, to be fixed by the respective boards, and the net proceeds of all such fees and tuitions, after all proper refunds have been made, shall be paid into the state treasury; provided, that the students from states permitting students from Oklahoma to attend their state institutions without tuition shall not be charged tuition in any state institution of the state of Oklahoma. (Sec. 1, S. B. 356, chap 151, L. 1915.)

**Section 298. Certain District to Help Support State Schools—When:** It shall be the duty of any independent or common school district in this state where a state school is located, to aid in the support and maintenance of said state school; provided, such independent or common school district does not maintain a fully accredited high school course. When the pupils of any such independent or common school district, shall attend as pupils in any such state school, such independent or common school district shall pay into the state treasury an amount equal to the per capita cost of educating pupils in said state school; and the state board of education shall determine the per capita cost of maintaining the said state school and file such schedule, showing per capita cost, with the clerk of any such independent or common school district. Such independent or common school district shall, before June 30th of each year, pay into the state treasury an amount to be determined by multiplying the number of pupils attending such state school from such district, by the per capita cost of maintaining the state school for the preceding fiscal year. (Sec. 1, H. B. 65, chap 84, L. 1915.)

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## ARTICLE XXI.

### Business Colleges.

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**Section 299. Shall Give Bond:** Any person, firm, association or corporation having established or proposing to establish a business college in the state of Oklahoma, shall be required to furnish a good and sufficient bond with two or more sureties, to be approved by the county clerk, to the state of Oklahoma, in the penal sum of two thousand (\$2,000.00) dollars, conditioned that such business college shall faithfully perform any and all expressed or implied contracts made in soliciting a bonus from cities or towns or in selling scholarships and that such business college shall continue a reasonable length of time, not less than six months, to enable those who have subscribed and paid for scholarships, either in whole or in part, to finish the course or courses to which the scholarship entitles the holder thereof, and that the course of study taught in said college shall be in accordance with such contracts made in soliciting the sale of scholarships. Such bond shall be filed in the office of the county clerk of the county in which such business colleges are located and shall remain on file subject to the inspection of the public and shall be for the use and benefit of any person or persons for a violation of any of the conditions of said bond. (Sec. 1, H. B. 403, chap. 281, L. 1915.)

**Section 300. Liability:** Any person, firm, association or corporation conducting or running a business college in the state shall be liable on said bond given under section 1 of this act, to any person, defrauded by reason of not having completed the course or courses of study for which said scholarship was purchased, or any other breach of said bond, and any person defrauded is hereby authorized to maintain a suit on said bond to recover any and all

sums due by reason of a breach of said bond. (Sec. 2, H. B. 403, chap. 281, L. 1915.)

**Section 301. Penalty:** Any person, firm, association or corporation running, maintaining, operating or conducting a business college without first having complied with section 1 of this act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than one hundred (\$100.00) dollars, and not more than five hundred (\$500.00) dollars, and by imprisonment in the county jail not less than thirty days, and not more than six months. (Sec. 3, H. B. 403, chap. 281, L. 1915)

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## ARTICLE XXII.

### Books and Supplies.

(Revised Laws of Oklahoma, 1910.)

(For List of Adopted Books, See Appendix C.)

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**Section 302. Text-book Commission:** There is hereby created a commission to be composed of seven members, to be known as the "text-book commission," consisting of the governor and six other persons of recognized ability, residents of this state, a majority of whom shall be experienced educators, who shall be appointed by the governor and approved by the senate, to serve for a term of five years and until their successors are appointed and qualified unless sooner removed. Any vacancy occurring upon the commission from any cause, shall be filled by appointment by the governor as in the first instance. A majority of said commission shall constitute a quorum for the transaction of all business of the commission. Before transacting any business relating to the duties of the commission, they shall each, in addition to the oath prescribed by the constitution, take an oath before some person authorized to administer same, to faithfully discharge all the duties imposed upon them as members of the text-book commission, and that they have no interest, directly or indirectly, in any contract that may be made under this article, and will receive no personal benefit therefrom, that they will examine all books submitted carefully and faithfully, as herein directed and prescribed, and said oath shall be filed in the office of the secretary of state. The secretary of said commission shall keep a correct record of all proceedings, votes and actions of the commission, which said records shall be deposited in the office of the secretary of state, at the time when said commission is not in session. All votes upon any proposition submitted to the commission shall be yea and nay, and recorded in the journal of the day's proceedings. No person shall be appointed to serve on said commission who has been in the employ, directly or indirectly, as traveling salesman, or otherwise, for any publisher of school text-books. (7707.)

NOTE—The state board of education is now the text-book commission. See section 296.

**Section 303. Commission to Select School Books and Supplies:** The text book commission shall be called together by the governor; and said commission is hereby empowered to select and adopt a uniform system or series of school text-books, registers, records, maps, charts, globes, and other school apparatus, for use in all the common schools of Oklahoma, and the series so selected shall include all the studies taught in the common schools of the state up to and including the twelfth grade: Provided, that none of said text-books shall contain anything of a partisan or sectarian character. Each bidder presenting books for adoption shall state at what price the books are

offered, as basic books, and as supplementary books: Provided, further, that the commission may adopt supplementary readers, but such readers shall not be used to the exclusion of basic readers. The duly constituted authorities in charge of any private school, or other educational institution, desiring to use any of the books selected by said commission in such school, shall have the privilege of buying said books at the same price and on the same terms at which they are furnished to the common schools. (7708.)

**Section 304. Bids and Proposals—How Filed:** The commission shall advertise for at least thirty days, in such manner as it may deem best, for sealed bids on proposals from the publishers of the text-books for furnishing books, registers, records and apparatus to the common schools of this state, as hereinbefore provided. The bids or proposals shall be for furnishing the books, registers, records and apparatus for a period of five years. Each bid shall state specifically and clearly the retail price at which each book, register, record and apparatus will be furnished. Each bid or proposal shall be accompanied with specimen copies of each, and all books offered in said bid, which specimen copies of books shall be sent, by express or mail to the governor, and it shall be required that each bidder deposit with the treasurer of the state of Oklahoma such sum of money as the commission shall require, not less than five hundred dollars nor more than twenty-five hundred dollars, according to the value of the books, registers, records, and apparatus each bidder may propose to supply. Such deposit shall be forfeited to the state if such bidder so depositing shall fail to make and execute the contract and bond provided herein within such time as the commission may require, which time shall be specified in the notice advertised. Each bid shall be accompanied with a sworn statement, showing the ownership of such publishing house, with the interest, names and addresses of said owners, and specially stating whether or not the said publishers or the owners of any interest or share of any such publishing house is the owner of any interest or share of any other publishing house, and if so, giving the name and address thereof and further stating that no member of the commission is in any manner interested, directly or indirectly, in such firm or corporation submitting such bid. If the fact shall be disclosed that any member of the commission is so interested, it shall work a disqualification of such member of the commission, and he shall not be permitted to serve on such commission; or if it should further appear or be disclosed that a member of the commission is interested in any book or series of books as the author or associate author, or that any member of the commission is interested in any such book or series of books in any manner, such fact shall likewise work a disqualification of such member, and he shall not be permitted to serve on the commission. Each member of the commission, after a called session of the commission at which any books are adopted, shall make out and file with the secretary of state an affidavit that he is not, and has not been, directly or indirectly, interested in or related to any publishing house, person, firm or corporation submitting any book, register, record, manuscript, or school apparatus for adoption, or in any book, register, record, manuscript, or school apparatus offered for adoption, and is not related to any person or agents representing such house, person, or firm or corporation, and that he will not accept any position as agent or representative of any person, firm or corporation to whom any contract may be awarded by said commission during the term and duration of said contract, and that he is not related to any person, or agents, representing such house, firm or corporation. Any contract entered into under the provisions of this article with any publishers who may hereafter become a party to any combination or trust for the purpose of raising the price of school text-books, registers, records or school apparatus used in this state, shall at the option of the commission become null and void (7709.)

**Section 305. Same—Return of Deposits:** All bids shall be sealed and deposited with the chairman of the commission, to be by him delivered to the commission in executive session for the purpose of considering the same. When any person, firm or corporation has been awarded a contract and the contract and bond required has been filed with the commission, it shall make an order on the treasurer of the state, reciting such fact, and thereupon the treasurer shall return the deposit of such bidder: but in any successful bidder shall fail to make the contract and bond as heretofore provided, the treasurer

shall place the deposit of such bidder in the state treasury to the credit of the available school fund, and the commission shall re-advertise for other bids to supply such books or school apparatus, which said bidders may have failed to supply. All unsuccessful bidders shall have their deposits returned to them as soon as the commission has decided not to accept their bids. (7710.)

**Section 306. Books to Be Printed in English—Exchange:** All books adopted by the commission shall be printed in English, except such text-books as may be adopted for the teaching of any foreign language. The commission shall stipulate in the contract that where a change shall have been made from the books now in use in this state, the contractor or contractors shall take in exchange the respective books and receive the same in exchange for new books at a price not less than fifty per cent of the contract price. Such exchange period shall not continue longer than one year from the date of contract. (7711.)

**Section 307. Contract and Bond:** The bidder to whom any contract may have been awarded shall make and execute a good and sufficient bond payable to the state of Oklahoma in the sum of not less than ten thousand dollars, to be approved by the governor, such bond to be conditioned that the contractor shall faithfully perform all conditions of the contract. The contract and bond shall be prepared by the attorney general and shall be made to conform with all the requirements of this article, and shall be payable in the county where the seat of government of this state is located, and shall be deposited in the office of the secretary of state. The bond shall not be exhausted by a single recovery thereon, but may be sued upon from time to time until the full amount thereof is recovered, and the commission may, after twenty days' notice, require a new bond be given, and in the event the contractor or contractors shall fail to furnish such new bond, the contract of the contractor or contractors may, at the option of the commission, be forfeited. (7712.)

**Section 308. Meeting and Consideration of Proposals:** It shall be the duty of the commission to meet at the time and the place mentioned in the notice and advertisement, and it shall adopt such rules and regulations as may be necessary to the transaction of its business, not contrary to the provisions of this article, and shall then and there open and examine the sealed proposals received, and it shall be the duty of the commission to make a full and complete investigation of all books, registers, records and school apparatus and bids accompanying the same. Each person, company, or corporation submitting bids or proposals shall be permitted to file a written statement as to the merits of any book or books, register, record or school apparatus offered by such bidder, or they may be permitted to appear in person, or by a duly authorized agent, before said commission; and the party so appearing or representing the claims of any bidder shall deposit with the commission his proper credentials or authority to represent such bidder. Every person who appears before the commission in advocacy of the adoption or rejection of any book, register, record, manuscript or any school apparatus shall file an affidavit showing fully in what capacity he appears and whether he is representing, as agent or otherwise, any bidder or whether he has received or has a contract to receive pay for his services in appearing before said commission: Provided, that no state official of this state shall be allowed to appear as the agent or representative of any text-book company, firm or corporation. (7713.)

**Section 309. Quality of Books—Contracts:** The literary merits and historical accuracy of all books shall be the main point to be considered in their adoption, and the books shall be selected after a careful examination and consideration of all books presented; and books selected shall be those which, in the opinion of the commission, are most acceptable for use in the various schools of the state, quality, mechanical construction, paper, print, price, authorship, and any other relevant matter being given such weight in making its decision as the commission may deem advisable: Provided, that books by Oklahoma authors shall have preference, merit and price being equal. The commission shall proceed without delay to adopt, for use in the common schools of this state, text-books in the schools hereinbefore mentioned, and shall notify publishers to whom contracts are awarded. Each contract shall be duly signed by the publishing house or its authorized officers or agents, and if

it is found to be in accordance with the award and all of the provisions of this article, and if the bond herein required is presented and duly approved, the commission shall approve said contract and order it to be signed on behalf of the state by the governor. All contracts shall be made in duplicate and one copy shall remain in the custody of the secretary of state and be copied in full in the minutes of the meeting of the commissioners in a well bound book, and the other copy shall be delivered to the publisher or his agent. All the books, registers, and records furnished under such contract shall be equal in all respects to the specimen or sample copies furnished with the bids; and it shall be the duty of the state superintendent of public instruction to preserve in his office, as the standard of quality and excellence to be maintained in such books, registers and records, during the continuance of such contract, the specimen or sample copies of all books, registers, and records which have been the basis of any contract, together with the original bid and proposal. The contract and exchange price of each book shall be plainly printed on the back of each book, together with the following notice: "The price marked hereon is fixed by the state, and any deviation therefrom should be reported to the state superintendent of public instruction." (7714.)

**Section 310. Prices—How Regulated:** The commission shall not, in any case, contract with any publisher of any book or books, registers and records, or any person, firm or corporation submitting bids for furnishing charts, maps, globes or other school apparatus to be used in the common schools in this state, at a price in excess of the lowest price at which such publisher or bidders furnishes and distributes the same book or books, registers, records or school apparatus under contract with any other state, county or school district in the United States, under like conditions of distribution. (7715.)

**Section 311. Same—Affidavit and Agreement of Publishers:** The publishers or bidders shall file with each proposal a sworn statement of the lowest price at which each book, chart, map, globe or other apparatus offered is sold anywhere in the United States, under like conditions of distribution. Said publishers or bidders must further agree to reduce the price of any book or apparatus adopted by the commission, if reductions are made below such contract price anywhere in the United States, so that at no time may any book or apparatus be sold in Oklahoma at a higher price than is received for the same book, register, record or apparatus elsewhere in the United States, where like conditions of distribution prevail. (7716.)

**Section 312. Attempt to Change Books a Misdemeanor—When:** Any publisher, person, firm or corporation submitting bids, or any agent of such publisher, person, firm or corporation, who shall connive at or seek to procure a change of the series of text-books, registers, records or any school apparatus by the commission before the expiration of the period in which a uniform system of text-books is established in this state, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars and not more than one hundred dollars for each offense. (7717.)

**Section 313. School Authorities Not to Purchase Unauthorized Supplies:** It shall be unlawful for any teacher, trustee or school board of any common school in this state to purchase or contract for any chart, map, globe or other school apparatus, unless the same shall have been submitted to the text-book commission of this state at a regular or special session and by them approved and the maximum price thereof fixed by said commission. (7718.)

**Section 314. Same—Penalty for Sale or Purchase:** Any person who shall sell to any teacher, trustee or school board of any common school of this state, any chart, map, globe or other school apparatus, which has not been approved by the text-book commission of this state, and any person who shall request or endeavor to persuade any such teacher, trustee or school board or any member thereof to purchase any chart, map, globe or other school apparatus, the sale of which is hereby prohibited, shall be deemed guilty of a misdemeanor and liable to a fine of not less than fifty nor more than two hundred dollars. (7719.)

**Section 315. State May Terminate Contracts—When:** It shall be a part of the terms and conditions of every contract made in pursuance of this article that the state of Oklahoma shall not be liable to any contractor thereunder for



any sum whatever, but all such contracts shall receive compensation solely and exclusively from the proceeds of the sales of school books as provided herein; and it is hereby provided that the state shall have the right to terminate said contract whenever the law is repealed or amended, altered or qualified as to make necessary or expedient that such contract should be revoked, or as to such book or books, registers and records as may be published by or at the cost of the state: Provided, that the commission shall have the power by a majority vote, to discontinue the use of unsatisfactory books, registers and records at the end of any school year during the continuance of this contract, and to make another adoption; and all contracts shall contain a stipulation to that effect. The state may, at its election, cancel any contract entered into by virtue of the provisions of this article for fraud or collusion upon the part of either party to the contract or any member of the commission, or any person, firm, corporation or their agents making said bond or contract; and for the cancellation of any such contract, the attorney-general is hereby authorized to bring suit in any court of competent jurisdiction in the state, and in case of the cancellation of any contract as provided herein, the damages are fixed at not less than the amount of said bond to be recovered as liquidated damages in the same suit canceling such said contract. And on account of the difficulty in determining the damage that might accrue by reason of such fraud and cancellation of such contract, the full amount of the bond given by any contractor shall be considered as liquidated damages to be recovered out of said bond by the state at the suit of the attorney general, and every contract shall contain a clause to this effect. (7720.)

**Section 316. All Bids May Be Rejected:** The text-book commission shall have and reserve the right to reject any and all bids or proposals, if said commission be of the opinion that any or all bids should, for any reason be rejected; and in case they fail, from among the bids or proposals submitted, to select any books, registers, records or apparatus upon any of the branches of study provided for herein, they may advertise for sealed bids or proposals under the same terms and conditions as before, and proceed in their investigation in all respects as they did in the first instance and as required by the terms and provisions of this article. (7721.)

**Section 317. Supplies to Be Placed on Sale—Where:** The party or parties with whom the contract shall be made shall place their books, registers, records and school apparatus on sale at as many places in each county of the state as the commission may direct for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with merchants or other persons for the handling and distribution of the books. All books shall be sold to the consumer at the retail price fixed by the commission. Upon the failure of any contractor, under the provisions of this article, to furnish the books, registers, records or apparatus as provided in this contract, the county superintendent of public instruction of such county shall immediately report the fact to the attorney-general, and he shall bring suit on account of such failure, in the name of the state of Oklahoma, in any court of competent jurisdiction in the state, and shall recover on the bond given by such contractor for the full value of the books, registers, records and apparatus not furnished as required, and in addition thereto the sum of one hundred dollars, and the amounts so recovered shall be placed to the credit of the available school fund of the state. (7722.)

**Section 318. Making of Contract to Be Published:** As soon as the state shall have entered into the contract for furnishing of the books and apparatus for use in the common schools of this state, under the provisions of this article, it shall be the duty of the governor to issue his proclamation of such fact to the people of the state, and immediately thereafter the state superintendent of public instruction shall address a circular letter to the county superintendents, trustees and school boards of the various schools of the state, which circular letter shall contain a list of the books, registers, records and apparatus adopted, and with their respective prices, together with such other information as he may deem advisable. (7723.)

**Section 319. Penalty for Charging Illegal Prices:** If any local agent, dealer, clerk or other person handling or selling the books, registers, records, maps, charts, globes or other apparatus adopted under this article, shall de-

mand or receive for a copy of any of the books, registers, records, or for any chart, map, globe, or other apparatus adopted under this article, more than the contract price, he shall be guilty of a misdemeanor, and upon conviction shall for each offense, be punished by a fine of not less than fifty dollars nor more than five hundred dollars. (7724.)

**Section 320. Supplies Required to Be Reported:** The trustees and school boards of the various schools of the state using books, registers, records and apparatus adopted by the commission shall hold annual meetings and make an estimate of the number school text-books, registers, records and apparatus needed in said school for the term next commencing therein, and a report thereof shall be made to the county superintendent of public instruction in said county immediately, and not later than the first day of August next thereafter; and the county superintendent shall, as soon as possible, and not later than the tenth day of August of each year, and oftener, if the necessity of a school requires it, make out his requisition from the report so received, and from any other source, and send it to the state superintendent, when such books are printed by the state or the school book publisher or publishers having contracts under the provisions of this article, stating therein the number of books, registers, records and apparatus of each kind needed for the schools of his county. (7725.)

**Section 321. Commission's Selection to Be Used Exclusively:** The books and apparatus adopted by the commission under the provisions of this article, shall be introduced and used as text-books, registers, records and apparatus to the exclusion of all others in the common schools of this state as hereinbefore provided, but nothing herein shall be construed to prevent or prohibit the patrons of the common schools in the state from procuring books, registers, records and apparatus in the usual way in the event that the state does not publish such books, registers, records, or manufacture such apparatus, in the event that no contracts are made, or in the event that the contractor or contractors fail or refuse to furnish the books, registers, records or apparatus provided for in this article, at the time that said books or apparatus are required for use in the schools. (7726.)

**Section 322. Same—Failure a Misdemeanor:** Any school trustee who shall prevent or aid in preventing the use in any common school in this state of the books, registers, records and apparatus, or any of them, as adopted under the provisions of this article, or any teacher in this state who shall willfully fail or refuse to use the books, registers, records and apparatus adopted under the provisions of this article, shall be guilty of misdemeanor, and upon conviction shall be fined any sum not less than twenty-five dollars nor more than fifty dollars for each offense, and each day of such willful failure or refusal of said teachers or willful prevention of the use of the books, registers, records or apparatus by said school trustee, shall constitute a separate offense. (7727.)

**Section 323. Rules—Perpetuation of Commission:** The commission may, from time to time, make any necessary regulations, not contrary to the provisions of this article, to secure the prompt distribution of the books, registers, records and apparatus herein provided for, and for the prompt and faithful execution of all contracts; and it is now expressly provided that said commission shall maintain its organization during the continuance of the contracts entered into during the year nineteen hundred and eight and that after the expiration of same, the commission shall be reorganized for a period of five years as in the first instance, and enter into such other contracts in pursuance of this article as it may deem for the best interests of the patrons of the common schools of the state: Provided, that said commission shall be discontinued at any time when the efficiency for the publication of such books, registers and records provided for by the state, makes the continuance of said commission unnecessary. (7728.)

**Section 324. Commission May Publish Books—When:** If, when the proposals to furnish text-books are submitted to the text-book commission, it shall appear that the publishers have combined upon prices and that the proposals are unreasonable, said commission is hereby empowered, with the approval of the state board of education, to do any and all acts that may be

necessary for the purpose of procuring a meritorious uniform system of text-books, registers and records for use in the common schools of Oklahoma. It may, with the approval of the state board of education, offer prizes for manuscripts of books or employ suitable persons to prepare or compile the same, and contract with printing concerns for publication, purchase or hire plates, maps and engravings of copyright matter; contract for or lease copyrights for the purpose of being used in compiling and printing such books, and provide for the payment of royalties or for the leasing of plates for printing of the whole or any part of said books: Provided, that the entire cost of any book so furnished shall not exceed the price of any standard book of like character which was proposed to be furnished by publishers. (7729.)

**Section 325. Compensation and Allowances:** An itemized statement of all necessary expenses of the commission, together with a sworn itemized statement of the necessary expenses of the individual members of the commission shall be filed with the secretary of state, and the members thereof shall be allowed to receive as their only compensation for their services, the sum of six dollars per day while on duty, and their actual traveling expenses going to and returning from the place of meeting, to be paid by the state treasurer, under the direction and approval of the governor: Provided, that no per diem shall be allowed to any member of the commission who shall at the time of service thereof, be receiving a stated salary from the state: Provided further, that the members of said commission shall not draw pay for more than ten days for any year. (7730.)

**Section 326. Bribery:** It shall be unlawful for any member of the text-book commission to accept as a gift, at a reduced price, any books, registers, records or school apparatus or anything of value from any person, firm or corporation interested, directly or indirectly, in any bid filed with said commission or in the adoption of any book, register, record or apparatus by said commission, and any person violating this section shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and by imprisonment in the county jail for not less than thirty days. (7731.)

**Section 327. Common Schools Defined:** The words "common schools" shall be construed to mean all the schools of this state receiving aid from the state out of the common school fund. (7732.)

**Section 328. Contractor to Designate State Agent:** Any nonresident person or firm or foreign corporation with whom a contract has been entered into under the provisions of this article, shall designate the secretary of state of Oklahoma as its or their agent on whom citation and other writs and process may be served, in the event that any suit shall be brought against such person, firm or corporation. (7733.)

**Section 329. Combination a Misdemeanor:** If any person whatsoever shall create, enter into or become a member of any pool, trust, agreement, confederation, combination or understanding, permanent or temporary, with any other person whatsoever, to regulate or fix the price of or prevent or restrict competition in the sale or offering for sale, or in any of the branches of the business of selling and furnishing any school books, desks, seats, charts, school furniture, fixtures, apparatus or supplies, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than three hundred dollars and not more than one thousand dollars. (7734.)

**Section 330. Statement to Be Filed.** Every person, firm, association, partnership or corporation selling, or offering for sale, or soliciting trade and business for any supplies, school books, furniture, fixtures or apparatus, shall, before soliciting such trade or business, selling or offering for sale, delivering or offering to deliver any of the articles herein mentioned, cause to be filed in the office of the superintendent of public instruction of the state of Oklahoma, and in the office of the clerk of the district court of each county wherein it proposes to do business, the affidavit of two of its principal officers and an affidavit of its business manager or bookkeeper, fully stating its nature and character as such firm, partnership, association or corporation, and affirmatively showing therein by statements of facts that its existence and business relation violates in no way any of the provisions of this article. (7735.)

**Section 331. Same—Required of Agents:** Every person engaged in the sale of articles mentioned in this article and every agent or solicitor engaged in such business, either upon his own account or any representative capacity, shall file an affidavit in his own proper person with the same officers and stating the same facts as required in the preceding section. (7736.)

**Section 332. Contents of Affidavits—Renewal:** The affidavits required by this article shall contain a full description of the person, firm, corporation, partnership or association engaged in such business, including the names of the officers, stockholders, business address, and city, county and state where located, and what names, titles and aliases, if any, such person, corporation, firm, association, partnership or individual has transacted business under within the two years next preceding the filing of such affidavit; and said affidavits shall be renewed from time to time on or before the first day of January of each odd numbered year. (7737.)

**Section 333. Penalty for Violation:** Soliciting trade or business, selling, offering for sale, or delivering any of the articles mentioned in this article, directly or indirectly, to any person, firm, corporation, association, individual, school board, school district, board of education, or other person or agency, without first having complied with the requirements of this article, shall be a misdemeanor, and upon conviction thereof, any person so offending shall be adjudged to pay a fine of not less than one hundred dollars and not more than five hundred dollars. (7738.)

**Section 334. Contract Unlawful Before Filing of Affidavit:** It shall be unlawful for any school clerk, director, treasurer, trustee, member of any board or education or other officer of whatsoever nature or character, to make any contract or agreement with any person, firm, individual, partnership, corporation or association until the affidavits required by this article have been duly filed. (7739.)

**Section 335. Issue of Warrant Unlawful—When:** It shall be unlawful for any school clerk director, treasurer, trustee, member of any board of education or other officer to make any contract with any person, firm, partnership, corporation, or association of persons, or to issue any warrant, order or evidence of indebtedness, directly or indirectly, to the benefit of such person, firm, partnership, corporation or association transacting business in violation, in whole or in any part, of any of the provisions of this article. (7740.)

**Section 336. Penalty for Violation by Officer:** Every school clerk, director, treasurer, trustee, member of any board of education, or other officer violating any of the provisions of the two preceding sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten dollars nor more than one hundred dollars. (7741.)

**Section 337. County Attorney to Prosecute:** It shall be the duty of the county attorney of the proper county to prosecute on behalf and in the name of the state of Oklahoma all criminal cases arising under this article. (7742.)

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## ARTICLE XXIII.

### School District Levies.

(Revised Laws of Oklahoma 1910.)

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#### Matter Applying to Other Than School Districts Eliminated.

**Section 338. Limit of School District Levies:** Except as otherwise provided in this article, the total levy for current expenses of each school district shall not exceed in any one year the following:

School district levy, for the support of common schools, not more than five mills. (7376.)

**Section 339. Annual Estimate of School District Expenses:** The directors of each school district shall meet on the second Tuesday in July in each year, and shall respectively make out an itemized statement of the fiscal condition of their respective school districts and of the estimated needs thereof for the current expenses of the ensuing fiscal year. Said estimate shall show: first, any unexpended balance on hand of the levy for any previous year or years for current expense purposes; second, the estimated income of the school district from all sources other than from ad valorem taxation and such estimated income for school district purposes shall include the apportionment of the income from the common school fund, based on the distribution for the next preceding fiscal year; third, an itemized estimate of the amount necessary for the current expenses of each such school district for the ensuing fiscal year; fourth, the amount necessary for a sinking fund, sufficient to pay at maturity all bonded indebtedness of such school district; fifth, the amount necessary to pay the interest coupons falling due on its outstanding bonded indebtedness. Each estimate for school district purposes, as prepared in accordance with the provisions of this section, shall be published in some newspaper published in each such school district in four consecutive issues, if in a daily paper, and two consecutive issues if published in a weekly paper, and if there be no such paper published in such school district, then a copy of such estimate shall be posted in at least five public places therein, which posting shall be within five days after said second Tuesday in July. Said publication shall be made in each instance by the board making the estimate. Said estimate so made out and published as aforesaid, shall as soon as completed, be certified to the excise board of the county hereinafter provided for, together with an affidavit showing the publication or posting thereof as required by this section. (7378 as amended by Sec. 38, page 12.)

NOTE—Money received from back taxes can be used only to pay back warrants. If there be no back warrants, then the money must be applied on the estimate for the next fiscal year. (10-3-14.) Warrants are valid if issued within the amount of the approved estimate regardless of the amount of funds collected. (1-30-14.)

**Section 340. County Excise Board Created:** There is hereby created in each organized county in this state an excise board to be composed of the following county officers, to-wit: county clerk, county treasurer, county judge, county superintendent and county attorney, who shall perform the duties as herein provided without additional compensation. The county judge shall be chairman of the board and the county clerk secretary. (7379.)

**Section 341. Duties of Board—Tax Levies:** The excise board shall meet at the county seat on the last Saturday of July of each year for the purpose of examining the estimates of expenses for each school district therein. Their meeting shall be public and they shall keep a record of their proceedings. They shall have power to revise and correct any estimate certified to them where the amount thereof is in excess of the just and reasonable needs of the school district for which the same is made. When they shall have approved each estimate, if the same shall be within the limits for current expenses, provided by the first section of this article, and shall have ascertained the assessed valuation of property taxed ad valorem in the county and in each school district subdivision thereof, and shall have ascertained the probable income of each school district subdivision thereof from all sources other than ad valorem taxation, they shall thereupon make the levy therefor, adding thereto the amount ascertained to be necessary for a sinking fund, which, with the money already in such fund, shall be sufficient to pay, at maturity, all bonded indebtedness of such school district, and for the interest coupons falling due on the outstanding bonds of such school district; to the total amount so ascertained to the necessary for current expenses, sinking fund and interest coupons shall be added ten per cent for delinquent taxes. The levies so made by them shall be certified to the county clerk, who shall extend the same upon the tax roll. (7380.)

**Section 342. Election Necessary for Increased Levy:** If any estimate certified to the excise board for the current expenses of any school district shall exceed the limits prescribed by the first section of this article, and the excise board shall be of the opinion that such excess is reasonably necessary for the current expenses of the school district for which the same is prepared, they shall enter such fact upon the record of their proceedings and shall

give notice by publication in one issue of some newspaper printed in the county that a special election will be held in the school district, on the second Tuesday after the first Monday in August next thereafter, for the purpose of submitting to the qualified electors of such school district, the question of making such increased levy. Such election shall be held under the general election laws of the state and in each election held under the provisions of this article, the amount of each proposed levy shall be printed upon the ballot, with the words, "for the levy" and "against the levy", to the left of which shall be printed a square in which the elector shall stamp to indicate his choice: Provided, that in school districts not in cities the election shall be conducted as provided by law for such elections in school districts. (7381.)

**Section 343. May Vote Excess Levy:** Provided, further, that the school electors of any school district shall vote at the annual meeting (or election) as to whether an excess levy shall be levied for the next ensuing year, and the amount of such excess levy. If said excess levy shall receive a majority vote of those voting at said annual meeting (or election) then it shall be the duty of the school district board, when making the estimate for the next ensuing fiscal year, to attach to said estimate a certificate of the vote had at the annual meeting (or election) on the question of making such excess levy for the next ensuing fiscal year, and if said excess levy carried, then the county excise board, if an excess levy is required for the ensuing fiscal year to create a fund equal to the amount of the approved estimate, shall levy said additional levy not to exceed the amount voted by the people at the annual meeting (or election) or so much of the amount of the estimate approved by the county excise board. (Sec. 1, H. B. 501, chap. 199, L. 1915.)

**Section 344. Excess Levy Authorized—When:** At the election where it is proposed to vote an additional levy above the five mills herein authorized for school purposes, the election shall be held to be legal (if held) on the date given in the official notice and the additional levy above the (five) mills shall be authorized if a majority of those voting at the said election vote in favor of said additional levy. (Sec. 2, H. B. 501, chap. 199, L. 1915.)

NOTE. Question of voting excess levy cannot be re-submitted after one election has been held. (8-15-14.)

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## ARTICLE XXIV.

### Warrants—Issuance and Payment of

(Chapter 80, Session Laws 1910-11.)

**Section 345. Public Funds—Manner of Disbursement:** All public funds of any county or of any subdivision thereof shall be disbursed only in the payment of legal warrants, bonds and interest coupons. (Sec 1, chap 80, Laws. 1911.)

**Section 346. Warrants—Duties of Officers:** It is hereby made the duty of every officer authorized to allow, issue, draw or attest any warrant or certificate of indebtedness against the public funds of any board of education or school district to issue, draw and record all warrants, bonds and interest coupons, in the numerical order issued on each fund, beginning with number one and issuing the same consecutively during the fiscal year. At the beginning of each fiscal year a new series shall be commenced, and said series shall be designated by writing the fiscal year on the warrant or certificate of indebtedness for which the levy to pay the same has been made. (Sec. 2, chap. 80, Laws 1911.)

NOTE—Reference to officers other than school districts eliminated.

**Section 347. "Estimate Made and Approved" Defined:** The term "estimate made and approved" as used herein, is defined to mean the itemized statement of the estimated needs of a municipality for its current expenses for the ensuing fiscal year, as approved and fixed by the excise board or by vote of the municipality, adding thereto the amount necessary to create a sinking fund to meet maturing bonds, judgments and interest coupons, but the amount or limit to which warrants and certificates of indebtedness may be issued shall not include the ten per cent to be added to the estimate for delinquent taxes. (Sec. 3, chap 80, Laws 1911.)

**Section 348. Drawn Against Specific Fund—Face of Warrant—Delivery to Treasurer:** Each and every warrant or certificate of indebtedness must be drawn against a specific fund, and there shall be shown on such warrant, or certificate of indebtedness, by the officer or person issuing, drawing or attesting the same, the amount of the estimate made and approved for such purpose for the fiscal year or the specific amount authorized by a bond issue for said purpose; the amount of warrants or certificates of indebtedness issued or drawn against said fund and the net balance to the credit of said fund. As soon as said warrant, certificate or indebtedness, or bond is issued, the same shall be at once signed and attested and forthwith delivered by the officer attesting the same, to the treasurer of the county or subdivision thereof, issuing the same for registration. (Sec. 4, chap 80, Laws 1911.)

NOTE. When warrants have been issued they must be sent immediately to the county treasurer for registration.

**Section 349. Treasurer's Duty—Registration—Effect—Notice of "Funds on Hand":** It is hereby made the duty of the treasurer of the county or the treasurer of any subdivision thereof, to whom a warrant, certificate of indebtedness or bond is directed for payment, to register the same in a book to be kept for that purpose by entering therein the number, the date, the name of the payee, the fund from which it is drawn and the amount, and by writing on the warrant or evidence of indebtedness, the date of registration, his name and official title. All warrants, certificates of indebtedness or bonds, shall be registered in the same numerical order in which they have been issued, and when so registered shall be returned to the officer attesting the same. No warrant, certificate of indebtedness or bond shall be a valid charge until registered by the treasurer of the municipality issuing the same. Warrants and all evidences of indebtedness shall bear interest at the legal rate from and after its registration by the treasurer, unless there is cash on hand to pay the same when presented for registration and then the treasurer shall make the same "payable" after registering the same and no interest shall be computed or allowed thereon when paid. When the treasurer has money on hand to pay warrants duly registered, he shall publish notice thereof in one issue of a newspaper, or by posting five notices in public places, and interest shall cease on said warrants after thirty days from the date of said publication or posting of said notices. (Sec. 5, chap. 80, Laws 1911.)

NOTE—It is made the duty of the treasurer to return the registered warrant to the clerk of the school district.

**Section 350. Amount to Be Issued:** Warrants and certificates of indebtedness may be issued to the amount of the estimate made and approved by the excise board for the current fiscal year or to the amount authorized for such purpose by a bond issue. (Sec. 6, chap 80, Laws 1911.)

**Section 351. Limit of Authority to Issue—Liability of Officers:** It shall be unlawful for any officer to issue, approve, sign, attest, or register any warrant or certificate of indebtedness in any form in excess of the estimate of expenses made and approved for the current fiscal year or authorized for such a purpose by a bond issue, and any such warrant or certificate of indebtedness issued, approved, attested or registered in excess of the estimate made and approved or authorized by a bond issue, shall not be a charge against the municipality upon which it is issued, but may be collected by civil action from any officer issuing, drawing, approving, signing, attesting, registering or paying the same, or from either or all of them, or from their bondsmen. (Sec. 7, chap. 80, Laws 1911.)

**Section 352. Registration or Payment of Excess Warrants—Misdemeanor:** Any treasurer who shall register or pay a warrant, or certificate of indebtedness, issued in excess of the estimate made and approved by the excise board for the current fiscal year, or in excess of a bond issue for such purpose, shall be guilty of a misdemeanor. (Sec. 8, chap 80, Laws 1911.)

**Section 353. Allowing Bills in Excess—Liability of Officers:** It shall be unlawful for the board of education or the school district board, or any member or members of the above-named boards, to make any contract for, incur, acknowledge, approve, allow or authorize any indebtedness against their respective municipality or authorize it to be done by others, in excess of the estimate made and approved by the excise board for such purposes for such

current fiscal year, or in excess of the specific amount authorized for such purpose by a bond issue. Any such indebtedness, contracts incurred, acknowledged, approved, allowed or authorized in excess of the estimate made and approved for such purposes for such current fiscal year or in excess of the specific amount authorized for such purpose by a bond issue, shall not be a charge against the municipality whose officer or officers contracted, incurred, acknowledged, approved, allowed or authorized or attested the evidence of said indebtedness, but may be collected by civil action from any official contracting, incurring, acknowledging, approving or authorizing or attesting such indebtedness, or from his bondsmen. (Sec. 9, chap. 80, Laws 1911.)

NOTE—Reference to officers other than school boards eliminated.

**Section 354. Violations—Punishment:** Any officer contracting, incurring, acknowledging, authorizing, allowing or approving any indebtedness, or any officer issuing, drawing, or attesting any warrant or certificate of indebtedness in excess of the estimate made and approved by the excise board for such purpose for such current fiscal year or in excess of the specific amount authorized for such purpose by a bond issue, or who violates any other provision of this article, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, and shall forfeit and be removed from his office. (Sec. 10, chap. 80, Laws 1911.)

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## ARTICLE XXV.

### Fire Escapes.

**Section 355. What Buildings to Have Metallic Fire Escapes:** Every building used in whole or in part, as a school house, three or more stories in height, shall be provided with one or more metallic ladders or stair fire escapes, attached to the outer walls thereof, and extended from, or suitably near the ground, to the uppermost story thereof, with platforms of such form and dimensions and in such proximity to one or more windows of each story above the first as to render access to such ladders or stairs from each story easy and safe; the number, location, material and construction of such escapes to be subject to the approval of the fire marshal, chief of the fire department, city or town marshal, or such other authority as may have the control of fire regulations in any city or town where such buildings are located: Provided, however, that all buildings more than two stories in height, used for dormitories, schools or seminaries, shall have at least one fire escape for every thirty persons for which sleeping or living accommodations are provided above the second story of said buildings. (6850.)

NOTE. Matter referring to buildings other than school houses eliminated.

**Section 356. Notices to Be Posted:** It shall be the duty of every superintendent or other person or persons having the charge and control of such public buildings as are mentioned and described in the first section hereof to post notices in every room and hall, and in a public and conspicuous place in such buildings, calling attention to the fact that this article has been complied with, and designated the places on each and every floor of such building where such metallic ladders or stair fire escapes are located and may be found. The metallic ladders, or stair fire escapes provided for in this article, shall be furnished, constructed and maintained at the expense of the owner or owners of the buildings. (6852.)

**Section 357. Penalty:** Any violation of any of the provisions of this article shall be deemed a misdemeanor, and any person convicted thereof shall be punished by a fine of not less than five dollars nor more than five hundred dollars. (6853.)



## ARTICLE XXVI.

### School for the Blind.

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**Section 358. Creation and Location of School:** There is hereby created and established a school for the blind at or near the city of Muskogee, Oklahoma, to be known as the "Oklahoma School for the Blind." (Sec. 1, S. B. 62, chap. 37, Laws 1913.)

**Section 359. Purpose of School:** The purpose of such school shall be to provide academic, musical and industrial education suitable for persons deprived of sight. (Sec. 2, S. B. 62, chap. 37, Laws 1913.)

**Section 360. Government and Control:** The said Oklahoma School for the Blind shall be under the direction and control of the state board of education. (Sec. 3, S. B. 62, chap. 37, Laws 1913.)

**Section 361. Who Are Entitled to Admission:** All persons residing in the state of Oklahoma, between the ages of six and twenty-one years, whose vision is so defective as to prevent them attending the public schools, and who are of such physical, mental and moral character as to enable them to pursue any one or all of the courses of study taught in this school, are eligible: Provided, persons may be continued in said school after passing the age of twenty-one, or persons under six and over twenty-one may be admitted as pupils in said school at the discretion of the superintendent and faculty. (Sec. 4, S. B. 62, chap. 37, Laws 1913.)

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## ARTICLE XXVII.

### School for the Deaf.

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**Section 362. Creation and Location:** A school for the education of the deaf is hereby created in the state of Oklahoma, to be known as the "Oklahoma School for the Deaf." The school is hereby located permanently in the city of Sulphur, Oklahoma. (6986-6987.)

**Section 363. Who Entitled to Admission:** All deaf residents of this state, and those deaf and dumb to such an extent that they cannot acquire an education in the common schools of the state, of suitable age and capacity, and of good moral character, shall be entitled to an education in the school for the deaf, without charge. (6988.)

**Section 364. Compulsory Attendance:** Every parent, company, guardian corporation, association, person or persons, within the state of Oklahoma, having control or charge of any deaf child or person, between the ages of seven and twenty-one, shall be required to send such child or person to some suitable school, where deaf children are taught and educated, for a period of at least six months in each year: Provided, that this shall not apply to any such child or person where skilled private instruction is given for the same length of time each year. (Sec. 3, chap. 167, Laws 1913.)

**Section 365. Purpose of the School:** The purpose of said school will be the physical and moral and intellectual culture and training of the deaf, to the end that pupils may be returned to society capable of becoming self-sustaining and useful citizens. (6989.)

NOTE—Management and control of the school vested in the state board of education. See section 296.

**Section 366. Duties of Superintendent:** The chief executive officer of the Oklahoma School for the Deaf shall be a superintendent. He shall be an experienced educator of the deaf. He shall give bond in the sum of five thousand dollars, running to the state as the custodian of the state's prop-

erty under his care, and for the faithful and efficient discharge of his duty. He shall prescribe the requisite course of study for each of the departments, embracing scientific, domestic, industrial and manual training, and shall require each student to pursue that course of study which will best fit him for future self-support; he shall also prescribe all rules and regulations relating to the officers, teachers, pupils and employees, subject to the approval of the board. (6991.)

**Section 367. Report of Superintendent:** The superintendent shall make a biennial report to the state board of education of the educational work and condition of the school, with such recommendations as shall seem to him necessary to secure the greatest service. (6995.)

**Section 368. Maintenance of Pupils:** On admission of a pupil to this school, the parents or guardian shall furnish sufficient clothing for such pupils, shall pay his or her transportation to and from the school, and the necessary expenses in case of death, also all incidental expenses such as dental work, and shall support the pupil during the summer vacation. If the parent or guardians for any reason are unable to provide for such pupil, then the superintendent, upon proof from the county judge of the county where the pupil resides, shall supply such pupil with necessary clothing and means of transportation, also incur such incidental expenses as are needed to maintain the pupil in a normal physical condition. The superintendent shall in such case send a certified account of such expenses to the board of county commissioners of the county from which the pupil so supplied has come to the school, and such county commissioners shall make provision to have such account paid from the poor and insane fund of the county: Provided, that persons not residents of the state may avail themselves of the benefits of the school by complying with the conditions of admission for citizens of the state, and paying the superintendent thereof a sum to be fixed by the state board of education in advance. (6996.)

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## ARTICLE XXVIII.

### Oklahoma State Home.

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**Section 369. Home Established—Who Admitted:** There is hereby established near the town of Pryor Creek, in this state, to be maintained by the state, an institution which shall be known as the "Oklahoma State Home," and it shall be a home for white children of sound mind and body under sixteen years of age who are dependent on the public for support: Provided, that the board of control of said home shall have authority to admit, in their discretion, any child dependent or neglected, regardless of its physical condition. (6997.)

**Section 370. Board of Control:** The general supervision and government of said home shall be vested in a board of control, to consist of three members, who shall be appointed by the governor; the members of which board shall hold their offices respectively for two, three and four years from and after the date of their appointment, and until their successors shall be appointed and qualified; said respective terms of office to be designated in their respective appointments; and thereafter there shall be one member of said board appointed by the governor every year for a term of four years, or until his successor shall be appointed and qualified. Whenever a vacancy shall occur in said board by death, resignation, removal from the state, or otherwise, the governor shall fill the same by appointment for the remainder of the unexpired term, and the appointee shall hold only for the unexpired term of the person whose place he is appointed to fill. The members of said board of control shall constitute a body corporate, under the name and seal of the "Board of Control of Oklahoma State Home," with the right of suing and being sued, and of making and using a common seal and of altering it at pleasure. A majority of the board shall constitute a quorum for the transac-

tion of any business lawful to be done by the said board. Said board of control shall have the power of taking and holding by purchase, gift, donation, devise or bequest, real or personal estate applied to the use of the home. Said board before it enters upon the duties of its office shall each take and subscribe the constitutional oath of office and file the same in the office of the secretary of state. (6998.)

NOTE—The state board of education is made the board of control. See section 296.

**Section 371. Officers of Board—Superintendent and Employees:** Said board shall elect from its own number at its regular meeting in March, each year, a president, vice-president, secretary and treasurer, who shall hold their offices until their successors shall be elected and qualified. Such officers shall hold their places during the pleasure of said board. It shall be the duty of the secretary of said board to render quarterly to the state auditor, accounts current of all cash transactions, and all moneys received, with the proper verified vouchers. All claims and vouchers for the purchase of supplies, or other indebtedness of the home, shall be approved by the board and signed by the president of the board of control. Said board shall establish a system of government for said home, including all necessary regulations for the management and good order thereof, including the support, mental, moral and physical training of the children; for placing them in family homes, and for their supervision in such homes while they remain the wards of said board. The said board shall appoint as superintendent a competent person having a practical knowledge of the best methods of providing for dependent and neglected children, who shall hold his office during its pleasure; and he shall appoint a matron or cottage managers, and such other officers and employees as the board shall prescribe, who shall severally hold their offices during the pleasure of said superintendent and said board shall prescribe their duties and fix their salaries. The board of control shall meet regularly at the home, on the first Wednesday in each month, and at such other time and places as it shall deem advisable, to transact all necessary business. (6999.)

**Section 372. What Children Admitted—Guardianship:** The said home shall be a temporary home for dependent and neglected children, where they shall be retained only until they can be placed in family homes: Provided, that in the discretion of the board, the child may be retained in the home as long as its best interests may require. There shall be received into said home all children who have been declared to be dependent on the public for support, as provided by law, and they shall be retained therein until they are eighteen years of age, or they may be declared self-supporting and be released by order of said board after sixteen years of age, unless they shall before that age be sent out as herein provided. The said board shall be appointed guardian, in the manner provided by law, of the person and estate of all children admitted to said home, which guardianship shall continue during the minority of such children, unless sooner discharged by the proper court. (7000.)

**Section 373. Children to Be Placed in Private Homes on Contract:** The said board is authorized, and it shall be its duty, to use special diligence in placing the children admitted to said home in suitable family homes, which shall be approved as herein provided, on written contracts, to remain until they reach their majority, or in the discretion of said board. Such contracts shall provide for the education of the children in the public schools where they reside at least six months in each year; for teaching them some useful occupation; for kind and proper treatment as members of the families where placed, and for the payment during each year of the contract, to said board, for the use and benefit of said children, such sum of money as shall be named in the contract: Provided, however, that in the discretion of said board, in case of children not on indenture and over sixteen years of age, such contract may provide only for wages to be paid to the child or to said board for the benefit of the child, and for kind and proper treatment. Every contract shall contain a clause reserving the right to said board to cancel or modify the same whenever it may deem that the interests of the child require, and also contain a clause authorizing the person taking the child to cancel the same at any time, within sixty days from the date of contract, on returning the

child to the home free of expense to said home. All moneys earned by said child or received from an indenture shall be turned over to said child when for any reason the guardianship of the board shall cease. (7001.)

**Section 374. Children to Be Released or Returned—When:** Whenever any ward of said board who is not indentured has become self-supporting, the said board may, at its discretion, so declare the fact by resolution, and thereupon its guardianship shall cease and the child shall thereafter be entitled to its own earnings. Whenever one or both of the parents of any ward of said board, who is not indentured, have become able to support the child and educate it, the child may, by resolution adopted by said board, be restored to its parents, in which case the suitability of the home shall be certified in the manner herein provided for placing children on indenture, and thereupon the guardianship of said board shall cease. The said board is authorized to return to the counties from which they were sent the following classes of children:

First: Those who, by reason of vicious habits or incorrigibility, cannot be placed or retained in family homes.

Second: Those who, in the opinion of said board, based on the certificate of the physicians of said home, are of unsound mind or body, or who have some serious physical disability which prevents their being placed in family homes or learning trades. Whenever any child shall be ordered by said board to be returned to its county as herein provided, the guardianship of said board shall cease, and the child shall thereupon again become a charge of the county from which it was sent; and the superintendent of said home, in returning any child to its county, shall report in writing to the county commissioners of the proper county the action of said board, and the reasons therefor. (7002.)

**Section 375. State Agent—Duties—Offenses:** The said board is authorized to employ some competent person as the state agent of the Oklahoma State Home, and who shall act in that capacity during the pleasure of the board. His duties as such agent shall be prescribed by said board, and shall include visiting at such times as said board shall direct the children in families on indenture and reporting to said board the condition of such children, and any failure to comply with the terms of the indenture contracts. It shall also be the duty of said agent to find suitable homes for the children of said home and to enter into contracts in writing, when so authorized by said board on behalf of said board, with the persons taking such children. The bills for salary and necessary traveling expenses of said agent shall be first sworn to by said agent and examined and allowed by said board. The state agent shall act under the instructions of the superintendent; and the county attorney of each county, when called upon to do so, shall act as the legal adviser of the superintendent or state agent in any manner within his county, in which the rights of person or property of any inmate or applicant may be involved. The state agent shall have the power and authority to arrest and return to the home, any ward or said school who has left the home without being regularly discharged, as herein provided. His jurisdiction shall be co-extensive with the state, and any person interfering with said officer in the discharge of his duty shall be subject to arrest, and shall be subject to the penalties prescribed by law for interfering with a peace officer in the discharge of his duty. Any person who shall carry away or entice any inmate from the institution, or shall assist in the escape, or shall knowingly conceal any inmate of said home who has escaped therefrom, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in sum of not exceeding two hundred dollars, and shall be confined in the county jail for not less than sixty days and not more than one year. (7003.)

**Section 376. Commitment by Juvenile Court:** No child shall be received into the Oklahoma State Home except by commitment by the juvenile court in the county in which such child resides, together with a full transcript of the proceedings in such case: Provided, that no child found guilty of said court of any crime, or found to be incorrigible, shall be received in said home. (7004.)

**Section 377. Admissions When Home Is Crowded—Transportation Expenses:** Whenever there are more children in the several counties admissible than can be received in said home, it shall be the duty of the superintendent of said home to divide such admissions prorata among the counties, according to the number of dependent children in each at the time of such admission, giving preference to counties of the same or larger population that have had fewer children admitted into said home. Whenever the county judge of any county shall be informed by the superintendent of said home that any dependent children from that county can be admitted into said home, it shall be the duty of the county judge to notify the county commissioners, who shall forward them to said home, as provided in this article, as soon as practicable; and it shall be unlawful for the county commissioners of any county to retain and support in their county any child admissible by law to said home after such notification. The expense of transporting of children to said home pursuant to law, and the expenses of returning any of said children to their counties, after their admission by said board, as improper inmates of said home, shall be paid by the county sending such children. (7005.)

**Section 378. Authority Over Children Put in Private Homes:** It shall be the duty of said board to obtain information as often as practicable, from all the children placed in families from the home, and to secure, as far as possible, the education and good treatment of such children and the full performance of indenture contracts. It shall be the duty of said board to procure written reports concerning such children at least once in each three months, from the person to whom the child is indentured, and from the state agent, or some one under his direction. If it shall appear to said board by such reports or from any other source, that the child is neglected or ill treated, or is not being educated by the person with whom it is placed, or that the person having such child is unfit to have the care thereof, the said board, or the superintendent of said home, who may be authorized so to do by the said board, shall cancel the contract and cause the child to be removed to some other home, or returned to the Oklahoma State Home, and notice thereof shall be given to the county judge of the county from which it came. (7006.)

**Section 379. Indenture and Adoption:** Any person desiring to take a child from said home by indenture or adoption may apply for that purpose in writing, in such form as said board shall prescribe, to the superintendent. The superintendent or the state agent shall investigate the same and report in writing to the board of control in such form as it may prescribe. (7007.)

**Section 380. Same—Report of Treatment:** No child from said home shall be placed in a home on trial or by indenture or adoption, unless the same shall be approved by the board of control. But no child shall be indentured, adopted or placed in a home, any member of which is addicted to the use of liquor or engaged in a liquor traffic or any immoral pursuits. In case it shall be found at any time after the adoption or indenture of any child, that such person has become engaged in the liquor traffic or any immoral pursuit, it shall be the duty of the superintendent immediately to remove such child from such home as soon as it comes to his knowledge. It shall be the duty of the state agent to visit the children of said home in families on indenture, at such time as he may be requested so to do by the superintendent of said home, and inquire into the management, condition and treatment of such children; and he shall, as soon as practicable, report to the superintendent of said home the facts ascertained, showing whether the indenture contracts are being faithfully executed; and wherever it shall come to the knowledge of the officer so authorized to make such visit, that any child of this home in any family, on trial or indenture, is being ill-treated, he shall immediately investigate the case and report the facts as aforesaid. (7008.)

**Section 381. Records to Be Kept:** It shall be the duty of said board to preserve in said home all legal papers, reports and other valuable papers relating to each child, and to provide and keep suitable record books in which shall be entered, during the time of guardianship of said board, a brief history of each child, showing its name, age, county, residence, when received, indentured or adopted; the names, occupation, habits and character of the parents so far as they can be ascertained; and the name, residence and occupa-

tion of the person who has taken the child by indenture or adoption. (7009.)

**Section 382. Limitation of Expenditures—Compensation of Board:** The board of control is hereby prohibited from creating any debt against the Oklahoma State Home, or from incurring any expense beyond its ability to pay from the appropriations made therefor, except as herein provided. Each member of the board of control shall receive as compensation for his services three dollars per day and his actual expenses incurred while in the service of the state. (7010.)

**Section 383. Annual Reports of Board:** The board of control shall report annually to the governor and to the commissioner of charities and corrections on the thirtieth day of June, or oftener if required. (7011.)

**Section 384. Colored Orphan Home—Location and Purpose:** The institute for the deaf, blind and orphans of the colored race is hereby located and established at or within a convenient distance of the town of Taft, in Muskogee county, in the state of Oklahoma, the exclusive purpose of which shall be to care for, teach and train the unfortunate of the said colored race in the rudiments of English, as in the graded schools, and the practical and primary industries, such as may fit such unfortunates for useful citizenship and make them self-helpful and self-reliant. (7014.)

**Section 385. Foregoing Provisions Applicable:** All of the foregoing provisions of this article shall be and they are hereby made applicable to the government and control of said colored orphan home established by the preceding section, and all officers and employees for the carrying out of said colored orphan home are hereby created according to the foregoing provisions of this article. (7013.)

**Section 386. Record Shall Be Kept by County Judge:** When committing orphan, dependent or neglected children to the Oklahoma State Home at Pryor, Oklahoma, the county courts of the several counties of this state shall keep a complete record of all commitments, giving names and addresses if possible, of all the near relatives of the children, cause of the death of the relatives, stating disease if known, and before said children shall be assigned to the state home, the county court shall have them examined by a competent physician, to determine if they are of sound mind and body. Said court shall forward with the children a complete copy of the proceedings of the commitment to the superintendent of the Oklahoma State Home for his records. (Sec. 1, S. B. 199, chap. 145, L. 1915.)

**Section 387. Penalty for Enticing Child Away:** Any parent or parents who shall visit a home in which one or more of their children have been placed by the superintendent of the Oklahoma State Home, for the purpose of enticing away or causing said children or children to become dissatisfied, shall be guilty of a misdemeanor, and fined not less than one hundred dollars nor more than two hundred and fifty dollars. (Sec. 2, S. B. 199, chap. 145, L. 1915)

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## ARTICLE XXIX.

### State Training School.

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**Section 388. Location:** There is hereby established a state training school, to be located in Garvin county between the cities of Pauls Valley and Wynnewood, on a tract of land of not less than four hundred acres, to be deeded in fee simple by the citizens of the two cities to the board of control and their successors in office, without cost to the state. (Sec. 7087, Revised Laws 1910.)

Note—School is governed by state board of education. See Sec. 296.

**Section 389. Commitments to School:** It shall be the duty of said board of control to receive to the extent of the means placed at its disposal and con-

ditions afforded by the buildings belonging to said school, all persons committed to its care and guardianship under the provisions of this act, and all boys committed thereto shall be committed until they arrive at the age of twenty-one (21) years unless sooner reformed. (7093, Revised Laws 1910.)

**Section 390. Care of Inmates:** Each and every boy who shall be legally committed to said school as provided herein this act shall be clothed, fed, disciplined, instructed, employed and governed, under the direction of the board of control of said school until he either be reformed or discharged, according to the rules to be adopted by the said board of control. (7094, Revised Laws 1910.)

**Section 391. Same—Regulations:** The board of control shall make such regulations in regard to the food, clothing and bedding of the inmates of said school as health and circumstances of each may require, and all rations, clothing and bedding shall be plain and of good quality and in such quantity for the sustenance of the health and well being of the inmates. It shall be the duty of said board of control to prepare and adopt from time to time rules and regulations for said institution for the government of the inmates of the same. (7095, Revised Laws 1910.)

**Section 392. Duties of Board:** Said board shall at its regular meeting examine all of the different departments of the institution and inquire into all matters concerning them—the government, discipline, punishment and employment of the inmates, and doings and accounts of the superintendent, the purchases and sales, and whether the inmates are well clothed and fed and have such educational advantages as shall have been provided for, also inquire into any allegations against the superintendent or other officers and for that purpose issue subpoenas to compel the attendance of witnesses and the production of papers and writings before them, subject to the same penalties for disobedience as in case of trials before courts of record, and may examine any witness, under oath, brought before them, the oath to be administered by the president of the board or by other members in his absence. (7096, Revised Laws 1910.)

**Section 393. System of Marks and Credits:** The board of control shall, under a system of marks or otherwise, fix upon a uniform plan, under which it shall determine what number of marks, or credits, shall be earned by each boy sentenced under the provisions of this article as the condition of increased privileges or of release from its control, which system shall be subject to revision from time to time. Each boy sentenced to said school shall be credited for good personal demeanor, diligence in labor and study and for results accomplished and be charged for dereliction, negligence and offenses. (7097, Revised Laws 1910.)

**Section 394. Marks and Credits to Be Made Known to Inmates:** The board of control shall establish rules and regulations by which the standing of each boy's gain of marks and credits shall be made known to him as often as once each month and oftener if he shall at any time request it. (7098 Revised Laws 1910.)

**Section 395. Board May Release—When:** When it appears to the said board that there is a strong or reasonable probability that any boy will leave and remain at liberty without violating the law and that his release is not incompatible with the welfare of society and detrimental to his own good, then it shall issue to said boy an absolute release from confinement, but no other petition or other form of application for the release of any boy shall be entertained by the board of control: Provided, that nothing herein contained shall be construed to impair the power of the governor to grant a pardon in any case upon the recommendation from the state board of pardons. (Sec. 7099, Revised Laws 1910.)

**Section 396. Boys May Be Placed With Family:** It shall be lawful for said board of control to place in the care of any resident of this state, who is the head of a family and of good moral character, any of said boys in said school on such conditions and with such stipulations as the board may establish. (7100, Revised Laws 1910.)

**Section 397. Daily Journal to Be Kept by Superintendent:** The superintendent shall keep a daily journal of the proceedings of the institution, in which he shall enter every infraction of the rules by any officer, teacher, or employee thereof which shall come to his knowledge, and shall make a memorandum of every complaint made by any inmate of cruel or unjust treatment from his overseer or other officer of the institution, or the want of any good and sufficient clothing and also any infraction of the rules by any inmate, naming him and specifying the offenses and also what punishment and the extent thereof, so awarded, which journal shall be laid before the board of control at every stated meeting and at every special meeting when demanded. (Sec. 7103, Revised Laws 1910.)

**Section 398. Superintendent to Keep Accounts:** The superintendent of said school shall keep or cause to be kept an accurate account of all moneys received from the sale of articles manufactured in said institution and of the moneys expended for machinery and material, care and support of said institution and other things with any other business or trade that may be deemed advisable by the said board of control to be carried on at said school; he shall have charge of said business and temporary custody of the moneys so received and at the end of every month shall render to the state treasurer an itemized account of the moneys so received and shall pay the same over to the state treasurer to be placed in the credit of said school fund, taking a triplicate receipt for the same, one copy of which shall go to the secretary of the board of control, one to be transmitted to the auditor of the state, and the other to be retained by himself. The money so paid to the treasurer shall be placed to the credit of the contingent fund of said school and be used in the same manner as the regular appropriation. (7104, Revised Laws 1910.)

**Section 399. Binding Out Inmates:** It shall be lawful for the board of control, whenever in its discretion it may deem any one of the boys detained in said institution to have become so far reformed as to justify his discharge, to liberate such boy or to bind him by articles of indenture for that purpose to be entered into with any suitable person who will engage to instruct or educate such boy in a proper manner according to the terms of such indenture: Provided, said boy shall be placed in school at least three months in each year. (7105, Revised Laws 1910.)

**Section 400. Boys May Be Bound to School by Indenture:** Any parent may indenture his or her boy, or any guardian may indenture a male ward, to the state training school for such length of time as may be agreed upon by such parent or guardian, and the board of control of said school, on condition that such parent or guardian shall pay the expenses of such boy or ward so indentured as aforesaid, while at said school. (7106, Revised Laws 1910.)

**Section 401. Conveyance of School—Fees:** It shall be the duty of the sheriff or any constable of the respective counties, or in case of their absence, of any suitable person appointed by the court for such purpose, to convey any boy committed under the provisions of this article to the school aforesaid, and all magistrates and officers performing services hereunder, shall be paid the same fee as are allowed for similar services in criminal cases; such fees to be paid by the county from which such boy was committed. (7107, Revised Laws 1910.)

**Section 402. Same—On Complaint of Parent:** Whenever the parent or guardian or next friend of a boy shall make complaint before any police magistrate or justice of the peace, that by reason of incorrigible or vicious conduct such boy has rendered his control beyond the power of parent, guardian or next friend, and made it manifest that a regard for the morals and welfare of such boy requires that he should be placed under the guardianship of the state training school, if such complaint be established by due proof, the said magistrate or justice of the peace shall commit such boy to the said school for such term as he shall deem proper, within the limits prescribed in the foregoing sections: Provided, that an appeal may be had as in other cases. (7108, Revised Laws 1910.)

**Section 403. Return of Delinquents:** If any boy shall absent himself without leave from the person to whose care and service he has been properly



committed such boy may be forthwith returned to the said institution without further process, and shall forfeit all credits gained by him on account of all previous good conduct. (7109, Revised Laws 1910.)

**Section 404. Officers and Employees of School:** Every person who shall aid or abet any boy in escaping from said school or who shall knowingly harbor such boy or aid in abducting him from the person to whose care and service he has been properly committed, shall be deemed guilty of a felony, and upon conviction, shall be punished by imprisonment in the penitentiary for not less than one year, or more than three years. (7111, Revised Laws 1910.)

**Section 405. Length of Commitment—Age—Discretion of Court:** Boys not over sixteen nor under ten years of age may be committed to said school by any judge of the police court, county judge or district judge, or the judge of any court of record having jurisdiction in criminal cases, or any conviction of any offense against the laws of the state, and any such boy convicted of any crime or offense, the punishment of which is in whole or in part confinement in the jail or penitentiary, may, at the discretion of the court giving sentence, in lieu of being sent to the jail or penitentiary, be committed to the State Training School. (7112, Revised Laws 1910.)

**Section 406. To Be Taken to School—How:** Any such youth upon being sentenced to said school shall, within five days after such sentence, unless the court giving such sentence shall otherwise order, be conveyed to said Training School by the sheriff of the county in which a conviction was had or by some other suitable person designated by the court giving a sentence and deliver into the custody of the superintendent of said school, together with a statement of the offense for which such boy was convicted, also his name, age, and nativity, and a copy of the sentence of the court. (7113, Revised Laws 1910.)

**Section 407. Same—Expenses of—How Paid:** The expense incurred in the transportation of a boy to said school shall be paid by the county from which he is committed, and the officer or person delivering him, upon the presentation of his sworn statement and an account of such expense and the cost in any case, shall be paid in like manner upon the certificate of the proper officer of the court in which he was convicted. (7114, Revised Laws 1910.)

**Section 408. Inmates to Receive Instruction:** The inmates of said school shall receive such education and shall be instructed in such branches of industry, agriculture, mechanics or otherwise as the board from time to time shall determine. For the purpose of reforming such inmates and benefitting by their usefulness in the administration of the institution, the board may introduce and carry on any branch of industry that they think conducive to this end. (7115, Revised Laws 1910.)

**Section 409. Training School for Negro Boys:** There is hereby established a State Training School for delinquent negro boys, to be located on the lands belonging to the state in Pittsburg county, near McAlester, on which the State Penitentiary is located. (Sec. 1, H. B. 447, chap. 252, L. 1915.)

**Section 410. Government:** Said training school shall be under the supervision and control of state board of public affairs, and said board may employ all the instructors, teachers, guards, or employees that may be required for said institution. (Sec. 2, H. B. 447, chap. 252, L. 1915.)

**Section 411. Same:** Said training school shall be governed in all respects by the provisions of article 7, chapter 68, Revised Laws of Oklahoma, 1910 (Secs. 388-407 above) so far as applicable and not repugnant hereto. (Sec. 3, H. B. 447, chap. 252, L. 1915.)

**Section 412 Not Penitentiary Convicts:** The inmates of such training school shall not be confined in the penitentiary or required to work or associate with the convicts confined in the state penitentiary, but shall be kept and maintained separate from such convicts. (Sec. 4, H. B. 447, chap. 252, L. 1915.)

**Section 413. Transportation:** As soon as the said board has made suitable provisions for the custody of the boy eligible for admission thereto, such board shall arrange for the transportation, receiving and support of such boys, and give notice to the public thereof. (Sec. 5, H. B. 447, chap. 252, L. 1915.)

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## ARTICLE XXX.

### Child Labor Law.

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(Being Art. 3, Chap. 42, Revised Laws of Oklahoma 1910.)

**Section 414. Restrictions on Employment of Children Under Fourteen:** No child under the age of fourteen years shall be employed or permitted to work in any factory, factory-workshop, theater, bowling alley, pool hall, or steam laundry, and no child under the age of fifteen years shall be employed or permitted to work in any occupation injurious to health or morals or especially hazardous to life or limb. It shall be the duty of the commissioner of labor upon investigation by himself or the agents of his department, or upon the complaint of the commissioner of charities and corrections, or the board of health, to determine what occupations are injurious to health or morals or especially hazardous to life or limb, and to notify employers in such occupations of his decision, which decision shall be final until such occupation or occupations shall be defined by law, as safe for health, morals, life and limb. (3728.)

**Section 415. Restriction on Employment of Children Under Sixteen:** No child under the age of sixteen years shall be employed or permitted to work at any of the following occupations: Oiling or assisting in oiling, operating, wiping or cleaning any dangerous machinery, or adjusting any belt to any such machinery, while in motion; operating, or assisting in operating, circular or band saws, steam boilers, steam machinery, or other steam generating apparatus, rolling-mill machinery, punches or shears, washing, grinding or mixing mills, passenger or freight elevators; preparing any composition in which dangerous or poisonous acids are used; manufacture of paints, colors or white lead; where there are acids, dyes, lyes, gases, glass dust or other dust or lint in such quantities as to be injurious to health; dipping, dyeing or packing matches, manufacturing, packing or storing powder, dynamite, nitroglycerine compounds, fuses or other explosives; manufacture of goods for immoral purposes; nor shall females under the age of sixteen years be employed in any capacity where such employment compels them to remain standing constantly. (3729.)

**Section 416. Girls Not to Sell Papers—Where:** No girl under the age of sixteen years shall, in any city, sell, or expose or offer for sale, newspapers, magazines or periodicals in any street or out-of-doors public place. (3730.)

**Section 417. Educational Qualifications Required:** No child under the age of sixteen years shall be employed or permitted to work in any of the occupations specified in section 414 unless such child is able to read and write simple sentences in the English language, or shall have attended some school during the preceding year for the time that attendance is compulsory under the laws. (3731.)

**Section 418. Hours of Employment—Seats Required:** No child under the age of sixteen years shall be employed or permitted to work in any gainful occupation, except agriculture or domestic service, more than eight hours in any one day, allowing one hour each day for noonday meal and rest, or more than forty-eight hours in any one week. During the time that a child is at work at such occupation, the employer must provide suitable seats and permit their use so far as the nature of the work allows. (3732.)

**Section 419. Night Work Prohibited:** No boy under the age of sixteen years and no girl under the age of eighteen shall be employed or permitted to work in any of the occupations mentioned in section 414 between the hours of six o'clock p. m. and seven o'clock a. m. (3733.)

**Section 420. Duties of Employers:** Before any child under the age of sixteen years shall be employed in any occupation specified in section 414, it shall be the duty of the parent or guardian of such child to procure and furnish the employer of such child an age and schooling certificate as herein-after provided in this article. It shall be the duty of every person, firm or corporation owning or operating any of the establishments specified in section 414, or employers in such occupations, to keep on file for the inspection of factory inspectors, truant officers, or other persons charged with the administration of this article, such age and school certificate for every child under sixteen years of age employed in such occupation, and to keep on file and to post conspicuously in every room where such children are employed, a register; with a complete list of children under sixteen years of age so employed, together with the age of each child as set forth in the age and schooling certificate opposite the name of such child, and also to keep on file and to post conspicuously in such place or establishment, in such form as the factory inspector may prescribe, the time of opening and closing of such factory or other establishment, the number of hours of labor required or permitted in such establishment, the hours of commencing and stopping work, and the time allowed for meals, and, if there be two or more shifts in such establishment, the number of hours in each shift during which the employes are required or permitted to work. On termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith surrendered by the employer to the child or its parent, guardian or custodian. (3734.)

**Section 421. Evidence of Age of Child:** The inspector of factories, truant officer, or other person charged with the administration of this article, may make demand on an employer in whose factory or establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by section 420, that such employer shall either furnish him, within ten days, evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such factory or establishment. Such officer may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to such officer, within ten days after such demand, such evidence of age herein required by him, and shall thereafter continue to employ such child to work in such factory or establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for violation of this provision of this article, that such child is under sixteen years of age and is unlawfully employed: Provided, that the factory inspector or deputy inspectors shall have the power to demand a certificate of physical fitness from some licensed physician in good standing in this state in case of children who may appear to him physically unable to perform the labor at which they may be engaged, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate. (3735.)

**Section 422. Certificate to Be Approved by Whom:** The age and schooling certificate shall be approved only by the county superintendent of public instruction or other school official designated by him, who shall, for the purpose of this article, be empowered to administer an oath. (3736.)

**Section 423. Evidence Required:** The age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, or certificate of birth, or the register of the city or county, or an affidavit of the date of such birth, by a legally registered physician residing therein, stating the time of such birth of such child, or the school record of such child, in the public or other school, setting forth the age of such child: Provided, that in cases where such evidence cannot be obtained, and the child appears to be in good health, and of normal size, of not less than sixty inches in height and weighing not less than eighty pounds, the parents or guardian of such child may make affidavit stating the age, place and time of birth of such child, or, if the child shall have no parents or guardian,

such affidavit may be made by the child. The affidavits required by this section must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. The employment certificate shall not be issued until such child has further personally appeared before the officer issuing the same and he is satisfied that such child is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. (3737.)

**Section 424. Attendance Certificate:** The age and schooling certificate shall not be approved until the parent or guardian of such child shall present a school attendance certificate as hereinafter prescribed. A duplicate of such age and schooling certificate shall be filled out and sent by the school officer, before whom the same is made, to the commissioner of labor. The blank forms for school attendance certificate and for the age and schooling certificate shall be supplied to the county superintendents of public instruction by the state superintendent of public instruction as hereinafter indicated:

#### SCHOOL ATTENDANCE CERTIFICATE.

----- (Name of School)  
----- (City and County)  
----- (Date)

This certifies that ----- (Name of Child) can read and write simple sentences in the English language and that according to the records of this school and in my belief is now ----- (number of years and months) old, and has attended school during the full school term of the preceding year.

----- (Name of Parent or Guardian)  
----- (Residence)  
----- (Signature of Teacher)

#### AGE AND SCHOOLING CERTIFICATE.

This certifies that I am ----- (father, mother or guardian) of ----- (name of child) and that he (or she) was born at ----- (town or city) ----- (county) ----- (state or country) on the ----- (day, month and year of birth), and is now ----- (number of years and months old.)

----- (Signature of parent or guardian)  
----- (Date)  
----- (City or town or county)

Personally appeared before me the above mentioned ----- (name of person signing) and made oath that the foregoing certificate is true to the best of his (or her) knowledge and belief.

I hereby approve the foregoing certificate of ----- (name of child) height ----- (feet and inches), weight ----- (pounds), complexion ----- (fair or dark), hair ----- (color), eyes ----- (color), having no sufficient reason to doubt that he (or she) is of the age therein certified.

## OWNER OF CERTIFICATE.

This certificate belongs to----- (name of child) and is to be surrendered to him (or her) whenever he (or she) leaves the service of the employer holding the same, but if not claimed by said child within thirty days after leaving said service, shall be sent to the commissioner of labor.

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(Signature of officer, with name of city, town or county and date.)  
(3738.)

**Section 425. Children Not to Be Employed Underground:** No child under the age of sixteen and no girl or woman shall be employed or permitted to work underground in any mine or quarry. (3739.)

**Section 426. Penalties for Violating This Article:** Any person violating any of the provisions of this article shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or imprisonment for not less than ten nor more than thirty days, or both such fine and imprisonment. It shall be the duty of the commissioner of labor to see that the provisions of this article are enforced with the exception of section 425, which shall be enforced by the mine inspector or under his direction. (3742.)

## AMENDMENT TO THE CONSTITUTION.

### State Question Number 57.

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The following amendment to the constitution was submitted by the last legislature and ratified by the people at the election held August 5, 1913, the section to be known as section 12a of art. 10:

“All taxes collected for the maintenance of the common schools of this state, and which are levied upon the property of any railroad company, pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one county in this state, shall be paid into the common school fund and distributed as are other common school funds of the state.”

## ARTICLE XXXI.

### Sinking Funds.

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**Section 427. Treasurer Shall Deposit Sinking Funds at Interest:** The county treasurer, treasurers of cities, towns, boards of education and township boards, shall each day hereafter make a deposit of all uninvested sinking fund moneys in their hands in banks designated by the board of county commissioners as county depositories, and furnishing the security now required by law, at not less than four per cent interest per annum on daily balances. (Sec. 1, S. B. 130, chap. 94, L. 1915.)

**Section 428. Interest on Sinking Funds to Be Apportioned:** The county treasurer shall, on the 30th day of June and December of each year, apportion and place to the credit of the sinking fund account of the various school districts of the county, all interest collected from the deposits of the uninvested school district sinking fund money, as provided in section 427 above, and all interest loaned and collected upon such school district sinking fund money from every source whatsoever; provided, the amount so accredited to the sinking fund account of each district shall bear the same ratio to the whole amount so collected as the amount to the credit of the sinking fund account of such district bears to the whole amount credited to the sinking fund account of all the school districts of the county; and, provided further, that the county treasurers, treasurers of cities, towns, boards, shall place all interest by them collected and arising from the sinking funds to the credit of the sinking fund account of such municipality. (Sec. 2, S. B. 130, chap. 94, L. 1915.)

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## APPENDIX

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### APPENDIX A.

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Notice—The rules and regulations herein contained shall supersede all former rules and regulations governing the issuing of state certificates in the State of Oklahoma.

#### Rules and Regulations for Oklahoma State Certificates.

##### Kinds of State Certificates.

The following classes of state certificates shall be issued by the state board of education and shall be valid to teach in the following specified grades:

**Primary Certificates**, authorizing the holder to teach in the primary grades (first to fourth inclusive), of any public school in the state.

**Grammar Grade Certificate**, authorizing the holder thereof to teach in all rural schools, the primary grades, and grammar grades (fifth to eighth inclusive) of any city in the state.

**General High School Certificate**, authorizing the holder thereof to teach in the primary, grammar grades and high schools of the state.

**Certificate to Teach or Supervise in Special Subjects** may be granted to an applicant presenting proof of graduation from the department of special work for which certificate is required, provided such school and department shall be approved by the state board of education; provided further, that such applicant shall pass the examination in special and professional subjects. (See requirements for state certificates by examination, 1, "d".)

**Normal School Certificate:** Anyone not less than eighteen years of age who has finished the first four years' work of the state normal schools of Oklahoma, and has had regular courses in psychology, school management and observation, may be granted a certificate by the state board of education good for two years, of equal standing with a first grade county certificate, after such certificate has been registered with the county superintendent of the county in which the holder desires to teach. Such certificate shall not be subject to renewal and the grades shall not be transferred to any other state certificate.

**State University Certificate:** A person who has finished the first two years' work of the State University of Oklahoma and has had regular courses in psychology and education may be granted a certificate by the state board of education, valid for two years, of equal standing with a first grade county certificate, after such certificate has been registered with the county superintendent of the county in which the holder desires to teach. Such certificate shall not be subject to renewal.

**University Preparatory School Certificate:** A regular graduate of one of the university preparatory schools may be granted a certificate valid for two years on the same basis as those who have completed four years of work in the state normal schools; provided such graduate has completed the following professional studies: Elementary psychology, theory and practice of teaching, history of education and one year of observational work.

NOTE—The above named certificates shall be valid in all rural schools and in all towns except independent districts when they have been registered with the county superintendent of the county in which the rural school or town is situated, and they should be valid in independent districts subject to the additional requirements of the examining boards of said districts when registered with the clerk of the board of education of such independent districts.

**Rural School Certificate:** Upon completion of the rural teachers' certificate course, including four full years' work above the eighth grade, at least one year's work being done in residence, in any one of the state normal schools, a rural school certificate good for three years will be issued. This certificate is good anywhere in the state for a period of three years, at the expiration of which period it may be renewed for the original period, provided the holder has during its life attended a state normal school at least one full term. Upon the same conditions the certificate may be renewed at each expiration until a life certificate has been secured by graduating from the normal school.

**Institute Conductors' and Instructors' Certificates,** authorizing the holder thereof to conduct or instruct in county institutes.

#### General Requirements.

1. No person who has not attained the age of twenty-one years shall be granted a regular state certificate except a normal school graduate or a student in an Oklahoma institution who has completed the work required for a normal school, university, university preparatory school or rural school certificate. An applicant for a state certificate must be a resident of the state or must be elected to a position in Oklahoma before a certificate will be granted.

2. Application for a state certificate for a graduate, either regular or special, must be accompanied by a recommendation from the president of the institution from which the applicant graduated and from the head of the department in which the applicant specialized. The applicant must present a record of the work done in the institution from which he graduated upon a blank furnished by the state board of education and signed by the registrar of such school.

3. An applicant for a state certificate by complete examination or upon a certificate from another state, shall file proof of at least two years of suc-

cessful experience in the same character or grade of work for which the certificate is sought, and must file a statement from the county superintendent or the city superintendent of the county or city in which he has taught to the effect that his work has been satisfactory during the tenure of his certificate.

4. All applications for state certificates, or for renewal of certificates, must be filed with the secretary of the state board of education at least thirty days prior to the date of the examination.

5. All inquiries concerning state certificates and applications for certificates should be addressed to the secretary of the state board of education, Oklahoma City, Oklahoma.

6. Regular examinations for state certificates except institute conductor's and instructor's certificates, will be given the last Thursday, Friday and Saturday in May at the following named places: The University of Oklahoma at Norman; Central State Normal School, Edmond; Northeastern State Normal School at Tahlequah; Southeastern State Normal School at Durant; East Central State Normal School at Ada; Northwestern State Normal School at Alva; Southwestern State Normal School at Weatherford; Agricultural and Mechanical College at Stillwater; University Preparatory School at Tonkawa; Eastern University Preparatory School at Claremore; Panhandle Agricultural Institute at Goodwell, and the Colored Agricultural and Normal University at Langston. Teachers desiring to take the state examination must give written notice to the president of the institution in which they expect to take the examination at least fifteen days before the date set for examination. Examinations for institute conductor's and instructor's certificates will be held in the office of each county superintendent in the state on the last Saturday of January each year. No special examination will be given after this date.

7. All state certificates issued by the state board of education and all normal school diplomas must be registered with the county superintendent of the county where the holder teaches, or with the clerk of the board of education, if the holder teaches in an independent district. The document is not valid as a certificate until it is registered according to the above provisions.

8. A state certificate shall expire when the holder thereof has been out of school work for a period of two years, and has been a non-resident of the state for a period of one year, unless his absence from the state is caused by attending school in some other state. A lapsed certificate may be renewed upon satisfactory evidence being presented to the state board of education that the holder thereof is worthy of such renewal.

9. Any certificate issued by the state board of education may be revoked on the grounds of immorality, gross neglect of duty, annulling written contracts with boards of education and district boards without the consent of a majority of the board, which is a party to the contract, or for any cause that would have justified the withholding thereof when the same was granted.

#### Requirements for State Certificates by Examination. Public Schools.

1. To be entitled to a two-year renewable certificate, the candidate must pass a satisfactory examination in the following branches:

(a) **For a Primary Certificate:** Agriculture, arithmetic, domestic science, drawing, geography, history of education, history and civics of Oklahoma, hygiene and school sanitation, language, music, nature study, orthography, penmanship, physical training, primary methods, primary reading, psychology, school laws of Oklahoma, school management.

(b) **For a Grammar Grade Certificate:** Agriculture, elementary algebra, arithmetic, bookkeeping, civil government, composition, domestic economy, drawing, English literature, American literature, English grammar, geography, general history, history of education, United States history, history and civics of Oklahoma, music, methods and management, penmanship, physiology, physiography, psychology, physics, reading, school laws of Oklahoma, spelling.



(c) **For a High School Certificate:** All subjects required for the grammar grade certificates and the following in addition thereto: High school algebra, botany, chemistry, plane geometry, solid geometry, English history, Latin or German, philosophy of education, political economy, biology.

(d) **For Special High School Certificate:** Agriculture, domestic economy, Oklahoma history and civics, pedagogy, psychology, history of education, school laws of Oklahoma. The applicant for this certificate must present proof of graduation from the department of special work for which the certificate is required, with standing in the special subjects certified by the registrar of the school.

2. Applicants for the two-year renewable certificates must have taught two years and must produce satisfactory testimonials from reputable persons in regard to moral character and professional standing.

3. An average standing of ninety per centum with not less than seventy-five per centum in any subject will be required for all state certificates. Grades of the required standing (ninety per centum) may be carried for two years.

4. At the expiration of this certificate the holder will be granted a five-year certificate upon furnishing satisfactory evidence of having taught successfully at least forty weeks during the tenure of the certificates.

#### Normal Institutes.

(a) **For Instructor's Certificate:** Examination for instructor's certificate will be given in rhetoric and composition, American literature, English literature, history of education, psychology, methods and management, the last Saturday in January at the office of the county superintendent in the several counties. An applicant for an instructor's certificate must be twenty-three years of age, the holder of at least a first grade county certificate, and must have had at least three years of successful experience as a teacher.

(b) **For Conductor's Certificate:** For a conductor's certificate the applicant must be examined in the required branches for an instructor's certificate and in philosophy of education and Oklahoma school law. Applicants for conductor's certificates must have instructed in at least one institute preceding the date of application, shall have attained the age of twenty-five, and shall have taught five years successfully.

Applicants for institute certificates by examination must make a general average of ninety per centum, with no grade below seventy-five per centum.

#### Requirements for State Certificates. Upon Credentials.

(a) Graduates of the arts and science course of any accredited institution of learning of Oklahoma or of other states, who have completed a course of study which shall have included the subjects required for the teacher's diploma of the University of Oklahoma, as approved by the state board of education, will be granted a general high school certificate valid for five years. At the expiration of that certificate the holder will be granted a renewal for a like period upon furnishing satisfactory evidence of having taught successfully at least three years out of five.

(b) Graduates of the normal courses of colleges of this state or of other states accredited by the state board of education and graduates of accredited normal schools of other states who have had at least forty weeks of successful experience in teaching may secure a five-year state certificate of the kind justified by their credits by passing a state examination in all subjects required for an Oklahoma state certificate in which they do not furnish credit from the institution from which they graduated. The applicants' entrance grades accepted by an accredited institution will be accepted towards an Oklahoma certificate. Provided, that the state board of education may waive the required teaching experience if applicant is a graduate of at least a two-year normal college course in an accredited state normal and has completed thirty-

six weeks of practice teaching and observation and furnishes recommendations of superior ability as a teacher from the supervising critic teacher and the head of the training department and the president of the institution.

(c) Graduates of any four-year college course of study in the state university or the state agricultural college, or of any approved four-year collegiate course in accredited institutions of learning, who have had at least forty weeks of experience in teaching may be granted a state certificate upon passing the state examination in history of education, philosophy of education, methods and management, psychology, Oklahoma school laws, agriculture, domestic science, Oklahoma history and civics.

(d) Persons holding state certificates from other states where the requirements for certificates represent the same standard as to quantity and quality of scholarship, who have had at least forty weeks of successful experience in teaching, may be granted state certificates of the kind justified by their grades; provided, such applicants shall pass an examination in all branches required for the Oklahoma state certificate which are not required in the state in which the certificate was issued, or shall present from an approved college or state normal school satisfactory proof to the state board of education of proficiency in such branches.

(e) Certificates to teach or supervise in special subjects may be granted to applicants presenting proof of graduation from the department of special work for which the certificate is required, provided such school and department shall be approved by the state board of education; provided further, that such applicant shall pass the examination in the special and professional subjects enumerated in the requirements for state certificates by examination (1, d).

(f) Institute certificates may be issued upon recommendation to persons whose professional fitness for institute work entitles them to recognition by the state board of education, and who shall be the holders of state certificates, or of normal school diplomas, or shall, because of eminent professional experience and ability in educational work, be entitled to the granting of such certificates.

An applicant for a state certificate upon credentials, as provided in the foregoing requirements, will, upon the acceptance of such credentials, be granted a temporary state certificate valid for one year, during the tenure of which certificate additional requirements may be completed. At the expiration of the temporary certificate the applicant shall present to the state board of education a statement from the county superintendent, or from the city superintendent of the city employing a city superintendent, or from the has been satisfactory during the tenure of the certificate.

### **General Information.**

Graduates of accredited normal schools, colleges and universities, applying for state teacher's certificates, shall be required to submit to the state board of education, on blank forms furnished by it, a detailed record showing the amount and kind of preparatory, collegiate and professional work completed, and that the requirements of the state board of education have been complied with.

The state board of education does not interpret the foregoing rules in regard to the acceptance of credentials from an accredited institution to bind the board to the acceptance of all credentials. Each case will be considered on its merits.

Credits will not be accepted from schools or colleges in other states if the state in which the school is located does not accept such credits on a state certificate.

Grades from county certificates, city certificates, or expired state certificates will not be accepted in lieu of those required for a state certificate. Grades from the Oklahoma state schools or accredited schools in other states will not be accepted unless the applicant is a graduate, except for certificates as may be issued under the foregoing rules to students of the Oklahoma normals and the University of Oklahoma, who have met the requirements of the state board of education for such certificates.

No fee is required for state certificates. Applicants by examination are expected to pay the expense of forwarding their papers to the state department.

Application blanks for state certificates are furnished by the state board of education, and must be filled out accurately before they will be accepted. Carelessness in this respect will be sufficient cause for rejecting the application.

Failure on the part of a teacher to keep up his professional work will be considered cause for cancelling his certificate.

The state board of education strongly recommends that the additional requirements of those teachers receiving state certificates upon credentials be made by doing credit work at one of the state schools of Oklahoma.

### Accredited Institutions.

1. Any institution of learning in Oklahoma or other states desiring to be accredited by the state board of education shall submit a full outline of its course of study, together with a definite statement of the standard required for admission, of the amount of time given to every subject, of the scope of work and the text used in each, of the maximum number of hours a student is permitted to carry, of the amount of laboratory work required, and of the proficiency demanded in final examination. If, in the judgment of the board, the course meets the requirements, the institution shall be placed on the accredited list. The application must be complete and must be accompanied by a late catalog of the school with the fullest possible information as to the school's professional library and other equipment which bears especially upon the subject of teaching.

2. An accredited college or university whose graduates are entitled to state certificates under the foregoing regulations must be an institution of higher learning recognized as a standard college of liberal arts, requiring the completion of a four-year secondary course above the eighth grade for entrance and maintaining a four-year course thereafter for graduation, with a faculty properly qualified, and possessing adequate equipment and means of support and maintaining at least seven separate departments or chairs. In case the pedagogical work of the institution is to be accepted without examination, the college must maintain at least eight chairs, one of which must be devoted exclusively to education or at most to psychology and education and shall maintain a pedagogical library having standard works and periodicals on psychology and education. The minimum amount of pedagogical work in any fully accredited college which will be accepted by the state board of education shall be equivalent to the requirements for the teacher's diploma of the University of Oklahoma.

3. An accredited normal school or teachers' college shall meet the following requirements:

(a) There must be five or more teachers who shall be graduates of standard normal schools, standard colleges or universities doing graduate work, devoting their time exclusively to the work of the normal courses.

(b) For entrance, four years work above the eighth grade in an approved four-year high school or its undoubted equivalent.

(c) For graduation therefrom, a minimum requirement of two years additional work, including a thorough review of the common branches and training in the practice school.

(d) The maintenance of a well equipped training school for observation and practice, such school to cover work in the eight elementary grades, adequate laboratory facilities for teaching the various sciences offered, a library of at least 2,500 volumes, rich in standard books on educational subjects, educational reports and journals.

4. An accredited normal department of a college that does not meet the requirements of a standard college must fulfill the following conditions:

(a) The work of such normal department must be in charge of a competent director, who shall organize and manage the work of the department. The teachers in the normal department must meet the same general requirements as teachers in normal schools.

(b) The requirements of normal schools, such as admission of students, standard of work, laboratory and library equipment, training school, etc., apply without change to normal departments.

(c) A sufficient annual income for maintaining the department in a manner satisfactory to the state board of education must be provided.

5 Institutions specializing in such branches of study as music, manual training, domestic science and art whose entrance requirements, courses, faculty and equipment meet the approval of the state board of education may be placed on the accredited list and the graduates of such special courses be entitled to credit towards special certificates.

6. The Oklahoma state board of education has accredited all state universities, normal schools and normal training departments meeting the requirements of sections 2, 3, 4 and 5, and the schools of college rank of the North Central Association of Colleges and Secondary Schools. Information regarding the standing of any institution may be secured by addressing the secretary of the state board of education, Oklahoma City, Oklahoma.

## APPENDIX B.

### TEXTBOOKS.

**Adopted for Use in the Common Schools of Oklahoma for a Five Year Period, Beginning August 1, 1914.**

#### TO TEACHERS AND SCHOOL OFFICERS:

The following is a list of the text-books, charts, maps, globes and apparatus adopted, or approved, by the state board of education for basal and supplementary use in the common schools of the state of Oklahoma, for a period of five years beginning August 1, 1914.

The retail price, with the exchange price which continues in effect for one year from the date when the contract becomes effective, is indicated, together with the names and addresses of the companies publishing the books, charts, globes, maps and apparatus adopted or approved.

Publishers are held responsible for the distribution of their respective books throughout the state. Any failure on their part to make proper distribution or exchange should be reported at once to this office.

Information concerning the use of these books is contained in the course of study for the common schools, which may be obtained from The Warden Company, of Oklahoma City, Okla.

Respectively,

R. H. WILSON,  
State Superintendent of Schools.

#### COMMON SCHOOL LIST.

##### 1. AGRICULTURAL.

	Price	
	Retail	Exch.
Basic.		
(Ginn & Co., Dallas, Texas.)		
Burkett, Stevens & Hill's Agriculture for Beginners.....	\$ .60	\$ .30
Supplementary.		
(Ferguson Publ. Co., Sherman, Texas.)		
Ferguson & Lewis' Principles of Agriculture.....	.60	

##### 2. ARITHMETIC.

	Retail	Exch.
Basic.		
(Lyons & Carnahan, Chicago, Ill.)		
Primary Number Book.....	.28	.14
(American Book Co., Chicago, Ill.)		
Hamilton's Elementary Arithmetic.....	.32	.16
Hamilton's Practical Arithmetic.....	.40	.20

	Price	Exch.
<b>Supplementary.</b>		
(Minnie E. Puntenney, Oklahoma City, Okla.) Retail		
Puntenney's Two Years Work in Numbers.....	\$ .26	
(Lyons & Carnahan, Chicago, Ill.)		
Modern Elementary Arithmetic.....	25.	\$ .13
Modern Advanced Arithmetic.....	.40	.20

### 3. CIVIL GOVERNMENT.

#### Basic.

(Benj. H. Sanborn & Co., Chicago, Ill.)		
Reinch's Civil Government with Oklahoma History and Civics by Roberts .....	.80	.40

#### Supplementary.

(Warden Company, Oklahoma City, Okla.)		
History of Oklahoma and Government by Thoburn & Holcomb & Barrett .....	.60	.30

### 4. DRAWING.

#### Basic.

(Atkinson, Mentzer & Co., Chicago.)		
Applied Arts Drawing Books, One to Four, inclusive.....	.15	
Applied Arts Drawing Books, Five to Eight, inclusive.....	.20	
(For rural and city schools.)		

### 5. DICTIONARIES.

Webster's (American Book Co., Chicago, Ill.)		
Primary Dictionary.....	.44	
Shorter School Dictionary.....	.54	
Common School Dictionary.....	.65	
Elementary School Dictionary.....	.81	
High School Dictionary .....	.88	
Academic Dictionary.....	1.35	
Webster's (Jasper Sipes Co., Oklahoma City.)		
New International Dictionary (with index).....	10.80	
Collegiate Dictionary (sheep binding).....	3.40	
Collegiate Dictionary (cloth binding).....	2.55	

### 6. GEOGRAPHY.

(Ginn & Co., Dallas, Texas.)		
Frye's First Course in Geography.....	.40	.20
Frye's Higher Geography.....	.88	.44

### 7. GRAMMAR.

(Warden Company, Oklahoma City.)		
Winterburn's Graded Lessons in Language, Book One.....	.40	.20
(Row, Peterson & Co., Chicago, Ill.)		
Essential Studies in English, Book Two, by Robbins & Row, with Practical English, Part One, by Scott.....	.55	.27

### 8. HISTORY.

#### Basic.

(Southern Publ. Co., Dallas, Texas.)		
Beginner's History of Our Country.....	.40	.20
(Benj. H. Sanborn & Co., Chicago, Ill.)		
Evan's Essential Facts of American History.....	.70	.35

#### Supplementary.

(Warden Company, Oklahoma City.)		
Elementary History of the United States.....	.40	.20

### 9. MUSIC.

(American Book Co., Chicago, Ill.)		
Eleanor Smith's Music Course:		
Primer .....	.23	.11
Book One .....	.23	.11
Book Two .....	.27	.13
Book Three .....	.36	.18
Book Four .....	.45	.22
Manual .....	.45	
Aiken's Music Course (for rural schools) 1 book.....	.45	.22

	Price	
	Retail	Exch.
<b>10. PHYSIOLOGY.</b>		
(World Book Co., Yonkers, N. Y.)		
Ritchie-Caldwell Primer of Hygiene-----	\$ .30	\$ .15
Ritchie-Caldwell Primer of Sanitation and Physiology-----	.60	.30

### 11. READERS.

#### Basic.

(D. C. Heath & Co., Chicago, Ill.)

Heath's First Reader-----	.18	.09
Heath's Second Reader-----	.27	.13
(Chas. E. Merrill Co., New York.)		
Graded Literature Third Reader-----	.32	.16
Graded Literature Fourth Reader, enlarged edition-----	.40	.20
Graded Literature Fifth Reader, enlarged edition-----	.40	.20
(Rand, McNally & Co., Chicago, Ill.)		
Curry's Literary Reader (for 7th and 8th grades)-----	.60	

#### Supplementary.

(B. F. Johnson Publ. Co., Richmond, Va.)

Haliburton's Playmates, a Primer-----	.18	
Carnefix Primer (adopted as chart)-----	.08	
(Minnie E. Puntenney, Oklahoma City.)		
Puntenney's Forget-Me-Not Primer-----	.25	
(Rand, McNally & Co., Chicago, Ill.)		
Holton Primer-----	.19	
(D. C. Heath & Co., Chicago, Ill.)		
Heath Primer-----	.18	.09
(Bobbs-Merrill Co., Indianapolis, Ind.)		

#### Child Classics:

Primer-----	.15	
First Reader-----	.25	
Second Reader-----	.30	
Third Reader-----	.35	
Fourth Reader-----	.40	
Fifth Reader-----	.50	

(Scott, Foresman & Co., Chicago, Ill.)

#### Elson's Grammar School Readers:

Book Two-----	.44	
Book Three-----	.52	
Book Four-----	.52	

(American Book Co., Chicago, Ill.)

#### Carpenter's Geographical and Industrial Readers (for use of teachers and libraries):

North America-----	.54	
South America-----	.54	
Asia-----	.54	
Australia-----	.54	
Africa-----	.54	
Europe-----	.63	
How the World Is Fed-----	.54	
How the World Is Clothed-----	.54	
How the World Is Housed-----	.54	

### 12. PENMANSHIP

(Adopted May 12, 1915.)

Creamer's System of Penmanship, Books 1 to 8 inclusive-----	.04	
Writing Pads Nos. I, II and III-----	.05	
(Webb Publishing Co., Oklahoma City.)		

### 13. SPELLER.

Common Sense Spelling Book-----	.20	.10
(J. E. Dyché Pub. Co., Oklahoma City.)		

### 14. DOMESTIC SCIENCE.

(Adopted May 12, 1915.)

#### For Common Schools.

Food and Clothing, by Leno Osborne-----	.60	.30
(Row, Peterson & Co., Chicago, Ill.)		

	Price	
<b>For High Schools and Normal Schools.</b>	Retail	Exch.
Kinne & Cooley's Shelter and Clothing-----	\$1.00	\$ .50
Kinne & Cooley's Foods and Household Management-----	1.00	.50
(The MacMillan Co., New York)		

### HIGH SCHOOL LIST

#### AGRICULTURE.

(MacMillan & Co., Dallas, Texas.)

Warren's Elements of Agriculture for High Schools-----	.90	.45
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#### ARITHMETIC.

(B. F. Johnson & Co., Richmond, Va.)

Colaw & Elwood's Advanced Arithmetic-----	.44	
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#### ALGEBRA.

(D. Appleton & Co., New York.)

Young & Jackson's High School Algebra-----	.95	.47
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#### ENGLISH.

##### Basic.

(Henry Holt & Co., Chicago, Ill.)

Hitcheock's Composition and Rhetoric-----	.94	.47
Pancoast & Shelly's First Book in English Literature-----	1.17	.58
(Chas. E. Merrill Co., New York.)		
Abernethy's American Literature-----	1.00	

##### Supplementary.

(Row, Peterson & Co., Chicago, Ill.)

Scott's Practical English-----	.60	.30
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#### GEOMETRY.

(Ginn & Co., Dallas, Texas.)

Wentworth's & Smith's Plane and Solid Geometry-----	1.23	.61
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#### GEOGRAPHY.

(D. Appleton & Co., New York.)

Gilbert & Brigham's Physical Geography-----	.88	
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#### HISTORY.

(Ginn & Co., Dallas, Texas.)

Myer's Ancient History, revised-----	1.41	.70
Myer's Mediaeval and Modern History, revised-----	1.41	.70
(American Book Co., Chicago, Ill.)		
Hart's Essentials in American History, approved for high schools-----	1.35	.67

#### LATIN.

(D. Appleton & Co., New York)

Caesar's First Campaign-----	.83	.41
(American Book Co., Chicago, Ill.)		
Pearson's Latin Prose Composition, based on Caesar-----	.45	.22
(Scott, Foresman & Co., Chicago, Ill.)		
Walker's Caesar, Four-Book edition-----	.87	.43
(Benj. H. Sanborn & Co., Chicago, Ill.)		
D'Ooge's Cicero-----	.83	.41

#### PHYSICS.

(American Book Co., Chicago, Ill.)

Hoadley's Essentials of Physics-----	1.13	.56
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#### SPELLING

(B. F. Johnson Publ. Co., Richmond, Va.)

Payne's High School Speller-----	.22	.11
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## CHARTS, GLOBES, MAPS, ETC.

(Jasper Sipes Co., Oklahoma City.)

Charts:	Retail Price
Oklahoma Primary Reading Chart.....	\$5.00
Anatomy and Physiology Chart.....	7.00
North American Bird and Nature Chart.....	17.50
Hart's Historical Chart.....	3.00
Skinner's Chart on Practical Agriculture (approved).....	37.50

### Globes.

(Jasper Sipes Co., Oklahoma City.)

No. 1	6-inch	.25
No. 10	6-inch	.50
No. 903	8-inch	1.50
No. 906	12-inch	3.50
No. 104	8-inch	2.25
No. 101	12-inch	4.00
No. 98	18-inch	13.00
No. 103½	8-inch	3.00
No. 100½	12-inch	5.00
No. 87½	18-inch	15.00
No. 100	12-inch	5.75
No. 102½	8-inch	3.95
No. 99½	12-inch	6.20
No. 96½	18-inch	16.85
No. 102	8-inch	4.45
No. 99	12-inch	7.00
No. 96	18-inch	17.90
No. 12	Sash Wt. 12-inch	5.75
No. 12½	Ball Wt. 12-inch	6.50
No. 18½	Ball Wt. 18-inch	18.00
No. 18	Sash Wt. 18-inch	16.00
No. 97	18-inch	16.00

### MAPS.

#### Universal Series.

Any map mounted on cloth, common rollers.....	1.00
Any map mounted in steel or diamond case.....	2.00
Any four maps in lock case, per set.....	7.50
Any eight maps in lock case, per set.....	12.00
Any four maps in Universal case, per set.....	8.50
Any eight maps in Universal case, per set.....	13.50
Any eight maps in Roller Front case, per set.....	15.00

#### New School Series.

Any map mounted on cloth, common rollers.....	2.00
Any map mounted in steel or diamond case.....	4.60
Any seven maps on spring rollers in lock case.....	28.00
Any seven maps on spring rollers in roller front case.....	33.00
Any four maps on spring rollers in lock case.....	18.40

#### Columbia Series.

Any map mounted on cloth, common rollers.....	3.00
Any map in steel or diamond case.....	5.50
Any seven maps on spring rollers in Columbia case.....	38.50
Any seven maps on springs rollers in roller front case.....	43.75
Any four maps on spring rollers in Columbia case.....	22.00

#### Physical Series or Birdseye View Series.

Any map mounted on cloth, common rollers.....	3.60
Any map in steel or diamond case.....	6.00
Any seven maps on spring rollers in lock case.....	42.00
Any seven maps on spring rollers, in roller front case.....	47.00
Any four maps on spring rollers in lock case.....	24.00



<b>Globe or Outline Series.</b>		Retail Price
Any map mounted on cloth, common rollers.....		\$ 1.50
Any map in steel or diamond case.....		3.00
Any eight maps in Globe case on spring rollers.....		20.00
Any four maps in Globe case on spring rollers.....		12.00
Any eight maps in roller front case on spring rollers.....		25.00

**Goode's Political Wall or Physical Wall Map Series.**

Any map mounted on cloth, common rollers.....	5.00
Any map mounted in steel or diamond case.....	8.00

**Foster's Historical.**

Same mounted on tripod stand.....	15.00
Dr. Kiepert's Classical and other imported maps, 20 percent discount from catalog.	
Map of Oklahoma, common rollers.....	1.50

**CHARTS ON PHYSIOLOGY AND ANATOMY.**

(Approved.)

Single chart, common rollers.....	1.10
Single chart in Shield case.....	1.98
Single chart in Steel case.....	2.20
Full set 12 charts, tripod stand.....	11.88
Full set 12 charts, Johnston case.....	18.70
Full set 12 charts, Rotary case.....	23.50
Full set 12 charts, roller front case.....	21.10
Full set 13 charts, tripod stand.....	13.20

**BLACKBOARD OUTLINE MAPS.**

(Approved.)

Single mountings only, Unrivalled series U. S., world and continents, each	2.85
Imperial series, U. S., world and continents, each.....	3.50

**REGISTERS.**

(Oklahoma School Herald Pub. Co., Oklahoma City.)

For fifty pupils.....	.55
For seventy pupils.....	.65

**BIRDS OF OKLAHOMA.**

(Geo. W. Stevens, Alva, Okla.)

Illustrated edition for teachers and libraries.....	1.75
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Of the above books, those published by the American Book Company, Ginn & Company, Chas. E. Merrill & Company, and the Rand, McNally Company, together with all globes, charts, maps and apparatus, will be purchased from Jasper Sipes Company, Oklahoma City. All other books mentioned above will be distributed by the Oklahoma Book Company, Oklahoma City.

When making orders or writing for information concerning text-books and depositories, take the matter up directly with Jasper Sipes Company or the Oklahoma Book Company, as the publishing companies make their contracts directly with the distributing houses and this department has nothing whatever to do with the distributing of the books except to assist in enforcing the law in case books are not furnished and distributed according to contract.

Yours respectfully,

R. H. WILSON,  
State Superintendent of Public Instruction

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